

AMENDED IN SENATE JUNE 26, 2014

AMENDED IN ASSEMBLY MAY 23, 2014

AMENDED IN ASSEMBLY MARCH 17, 2014

CALIFORNIA LEGISLATURE—2013–14 REGULAR SESSION

ASSEMBLY BILL

No. 1892

Introduced by Assembly Member Bocanegra
(Coauthor: Senator Correa)

February 19, 2014

An act to amend Sections 52060 and 52066 of, and to amend, repeal, and add Sections 2574 and 42238.02 of, the Education Code, relating to pupils.

LEGISLATIVE COUNSEL'S DIGEST

AB 1892, as amended, Bocanegra. Pupils redesignated as fluent English proficient.

(1) Existing law establishes a public school financing system that requires state funding for county superintendents of schools, school districts, and charter schools to be calculated pursuant to a local control funding formula, as specified. Existing law requires funding pursuant to the local control funding formula to include, in addition to a base grant, supplemental and concentration grant add-ons that are based on the percentage of certain categories of pupils, known as unduplicated pupils, served by the county superintendent of schools, school district, or charter school. Existing law includes among unduplicated pupils, a pupil who is classified as an English learner, eligible for a free or reduced-price meal, or a foster youth, as defined, and requires county superintendents of schools, school districts, and charter schools to submit and report data relating to these pupils.

This bill, until statewide pupil redesignation standards are adopted after January 1, 2015, by statute or regulation, or until July 1, 2018, whichever occurs first, would include a pupil who is redesignated as fluent English proficient, as specified, as an unduplicated pupil. The bill would authorize a county superintendent of schools, school district, or charter school to receive a specified percentage of the supplemental and concentration grant add-ons for pupils redesignated as fluent English proficient for the 2 consecutive fiscal years following redesignation, as specified. By requiring county superintendents of schools, school districts, and charter schools to also submit and report data related to pupils redesignated as fluent English proficient, the bill would impose a state-mandated local program.

(2) Existing law, on or before July 1, 2014, requires the governing board of each school district and each county board of education to adopt a local control and accountability plan and requires the governing board of each school district and each county board of education to update its local control and accountability plan before July 1 of each year. Existing law requires a local control and accountability plan to include, among other things, a description of the annual goals to be achieved for each state priority, as specified, for all pupils and certain subgroups of pupils. Existing law requires a charter school petition to contain, among other things, a reasonably comprehensive description of annual goals to be achieved in each applicable state priority, as specified, for all pupils and certain subgroups of pupils, and specific annual actions to achieve those goals. Existing law requires a charter school to annually update the goals and annual actions to achieve those goals, as specified. Existing law provides that, among other things, implementation of the academic content and performance standards adopted by the State Board of Education is a state priority.

This bill would add, within that state priority, identification of any specialized programs or services provided to pupils redesignated as fluent English proficient in order for them to maintain proficiency in English and access the common core academic content standards, adopted as specified, and a broad course of study that includes certain subject areas. *The bill would specify that a local control and accountability plan also include a description of the annual goals to be achieved for each state priority for pupils redesignated as fluent English proficient.* By requiring the governing board of each school district and each county board of education to include additional information in the local control and accountability plan, and requiring

each charter school to include additional information in its annual goals, the bill would impose a state-mandated local program.

(3) The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to these statutory provisions.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: yes.

The people of the State of California do enact as follows:

1 ~~SECTION 1. Section 2574 of the Education Code is amended~~
2 ~~to read:~~
3 ~~2574. For the 2013–14 fiscal year and for each fiscal year~~
4 ~~thereafter, the Superintendent annually shall calculate a county~~
5 ~~local control funding formula for each county superintendent of~~
6 ~~schools as follows:~~
7 ~~(a) Compute a county office of education operations grant equal~~
8 ~~to the sum of each of the following amounts:~~
9 ~~(1) Six hundred fifty-five thousand nine hundred twenty dollars~~
10 ~~(\$655,920).~~
11 ~~(2) One hundred nine thousand three hundred twenty dollars~~
12 ~~(\$109,320) multiplied by the number of school districts for which~~
13 ~~the county superintendent of schools has jurisdiction pursuant to~~
14 ~~Section 1253.~~
15 ~~(3) (A) Seventy dollars (\$70) multiplied by the number of units~~
16 ~~of countywide average daily attendance, up to a maximum of~~
17 ~~30,000 units.~~
18 ~~(B) Sixty dollars (\$60) multiplied by the number of units of~~
19 ~~countywide average daily attendance for the portion of countywide~~
20 ~~average daily attendance, if any, above 30,000 units, up to a~~
21 ~~maximum of 60,000 units.~~
22 ~~(C) Fifty dollars (\$50) multiplied by the number of units of~~
23 ~~countywide average daily attendance for the portion of countywide~~
24 ~~average daily attendance, if any, above 60,000, up to a maximum~~
25 ~~of 140,000 units.~~

1 ~~(D) Forty dollars (\$40) multiplied by the number of units of~~
2 ~~countywide average daily attendance for the portion of countywide~~
3 ~~average daily attendance, if any, above 140,000 units.~~

4 ~~(E) For purposes of this section, countywide average daily~~
5 ~~attendance means the aggregate number of annual units of average~~
6 ~~daily attendance within the county attributable to all school districts~~
7 ~~for which the county superintendent of schools has jurisdiction~~
8 ~~pursuant to Section 1253, charter schools authorized by school~~
9 ~~districts for which the county superintendent of schools has~~
10 ~~jurisdiction, and charter schools authorized by the county~~
11 ~~superintendent of schools.~~

12 ~~(4) For the 2014–15 fiscal year and each fiscal year thereafter,~~
13 ~~adjust each of the rates provided in the prior year pursuant to~~
14 ~~paragraphs (1), (2), and (3) by the percentage change in the annual~~
15 ~~average value of the Implicit Price Deflator for State and Local~~
16 ~~Government Purchases of Goods and Services for the United States,~~
17 ~~as published by the United States Department of Commerce for~~
18 ~~the 12-month period ending in the third quarter of the prior fiscal~~
19 ~~year. This percentage change shall be determined using the latest~~
20 ~~data available as of May 10 of the preceding fiscal year compared~~
21 ~~with the annual average value of the same deflator for the 12-month~~
22 ~~period ending in the third quarter of the second preceding fiscal~~
23 ~~year, using the latest data available as of May 10 of the preceding~~
24 ~~fiscal year, as reported by the Department of Finance.~~

25 ~~(b) Determine the enrollment percentage of unduplicated pupils~~
26 ~~pursuant to the following:~~

27 ~~(1) (A) For the 2013–14 fiscal year, divide the enrollment of~~
28 ~~unduplicated pupils in all schools operated by a county~~
29 ~~superintendent of schools in the 2013–14 fiscal year by the total~~
30 ~~enrollment in those schools in the 2013–14 fiscal year.~~

31 ~~(B) For the 2014–15 fiscal year, divide the sum of the enrollment~~
32 ~~of unduplicated pupils in all schools operated by a county~~
33 ~~superintendent of schools in the 2013–14 and 2014–15 fiscal years~~
34 ~~by the sum of the total enrollment in those schools in the 2013–14~~
35 ~~and 2014–15 fiscal years.~~

36 ~~(C) For the 2015–16 fiscal year and each fiscal year thereafter,~~
37 ~~divide the sum of the enrollment of unduplicated pupils in all~~
38 ~~schools operated by a county superintendent of schools in the~~
39 ~~current fiscal year and the two prior fiscal years by the sum of the~~

1 total enrollment in those schools in the current fiscal year and the
2 two prior fiscal years:

3 ~~(D) For purposes of determining the enrollment percentage of~~
4 ~~unduplicated pupils pursuant to this subdivision, enrollment in~~
5 ~~schools or classes established pursuant to Article 2.5 (commencing~~
6 ~~with Section 48645) of Chapter 4 of Part 27 of Division 4 of Title~~
7 ~~2 and the enrollment of pupils other than the pupils identified in~~
8 ~~clauses (i) to (iii), inclusive, of subparagraph (A) of paragraph (4)~~
9 ~~of subdivision (e), shall be excluded from the calculation of the~~
10 ~~enrollment percentage of unduplicated pupils.~~

11 (2) For purposes of this section, an “unduplicated pupil” is a
12 pupil who is classified as an English learner, eligible for a free or
13 reduced-price meal, a foster youth, or redesignated as fluent English
14 proficient pursuant to Section 313. For purposes of this section,
15 the definitions in Section 42238.01 of an English learner, a pupil
16 eligible for a free or reduced-price meal, and foster youth shall
17 apply. A pupil shall be counted only once for purposes of this
18 section if any of the following apply:

19 (A) The pupil is classified as an English learner and is eligible
20 for a free or reduced-price meal.

21 (B) The pupil is classified as an English learner and is a foster
22 youth.

23 (C) The pupil is eligible for a free or reduced-price meal and is
24 classified as a foster youth.

25 (D) The pupil is classified as an English learner, is eligible for
26 a free or reduced-price meal, and is a foster youth.

27 (E) The pupil is redesignated as fluent English proficient
28 pursuant to Section 313 and meets the requirements of
29 subparagraph (B) of paragraph (2) of, and subparagraph (C) of
30 paragraph (3) of, subdivision (e), and is eligible for a free or
31 reduced-price meal, or is a foster youth, or both.

32 (3) (A) Under procedures and timeframes established by the
33 Superintendent, commencing with the 2013–14 fiscal year, a county
34 superintendent of schools annually shall report the enrollment of
35 unduplicated pupils, pupils classified as English learners, pupils
36 eligible for free and reduced-price meals, foster youth, and pupils
37 redesignated as fluent English proficient in schools operated by
38 the county superintendent of schools to the Superintendent using
39 the California Longitudinal Pupil Achievement Data System.

1 ~~(B) The Superintendent shall make the calculations pursuant to~~
2 ~~this section using the data submitted through the California~~
3 ~~Longitudinal Pupil Achievement Data System.~~

4 ~~(C) The Controller shall include instructions, as appropriate, in~~
5 ~~the audit guide required by subdivision (a) of Section 14502.1, for~~
6 ~~determining if the data reported by a county superintendent of~~
7 ~~schools using the California Longitudinal Pupil Achievement Data~~
8 ~~System is consistent with pupil data records maintained by the~~
9 ~~county office of education.~~

10 ~~(e) Compute an alternative education grant equal to the sum of~~
11 ~~the following:~~

12 ~~(1) (A) For the 2013–14 fiscal year, a base grant equal to the~~
13 ~~2012–13 per pupil undeficitated statewide average juvenile court~~
14 ~~school base revenue limit calculated pursuant to Article 3~~
15 ~~(commencing with Section 2550) of Chapter 12, as that article~~
16 ~~read on January 1, 2013.~~

17 ~~(B) Commencing with the 2013–14 fiscal year, the per pupil~~
18 ~~base grant shall be adjusted by the percentage change in the annual~~
19 ~~average value of the Implicit Price Deflator for State and Local~~
20 ~~Government Purchases of Goods and Services for the United States,~~
21 ~~as published by the United States Department of Commerce for~~
22 ~~the 12-month period ending in the third quarter of the prior fiscal~~
23 ~~year. This percentage change shall be determined using the latest~~
24 ~~data available as of May 10 of the preceding fiscal year compared~~
25 ~~with the annual average value of the same deflator for the 12-month~~
26 ~~period ending in the third quarter of the second preceding fiscal~~
27 ~~year, using the latest data available as of May 10 of the preceding~~
28 ~~fiscal year, as reported by the Department of Finance.~~

29 ~~(2) (A) A supplemental grant equal to 35 percent of the base~~
30 ~~grant described in paragraph (1) multiplied by the enrollment~~
31 ~~percentage calculated in subdivision (b). The supplemental grant~~
32 ~~shall be expended in accordance with the regulations adopted~~
33 ~~pursuant to Section 42238.07.~~

34 ~~(B) (i) A county superintendent of schools shall receive 50~~
35 ~~percent of the supplemental grant calculated pursuant to~~
36 ~~subparagraph (A) for a pupil redesignated as fluent English~~
37 ~~proficient pursuant to Section 313 for the first fiscal year after the~~
38 ~~pupil has been redesignated as fluent English proficient.~~

39 ~~(ii) A county superintendent of schools shall receive 25 percent~~
40 ~~of the supplemental grant calculated pursuant to subparagraph (A)~~

1 for a pupil redesignated as fluent English proficient pursuant to
2 Section 313 for the second fiscal year after the pupil has been
3 redesignated as fluent English proficient.

4 (3) (A) A concentration grant equal to 35 percent of the base
5 grant described in paragraph (1) multiplied by the greater of either
6 of the following:

7 (i) The enrollment percentage calculated in subdivision (b) less
8 50 percent.

9 (ii) Zero.

10 (B) The concentration grant shall be expended in accordance
11 with the regulations adopted pursuant to Section 42238.07.

12 (C) (i) A county superintendent of schools shall receive 50
13 percent of the concentration grant calculated pursuant to
14 subparagraph (A) for a pupil redesignated as fluent English
15 proficient pursuant to Section 313 for the first fiscal year after the
16 pupil has been redesignated as fluent English proficient.

17 (ii) A county superintendent of schools shall receive 25 percent
18 of the concentration grant calculated pursuant to subparagraph (A)
19 for a pupil redesignated as fluent English proficient pursuant to
20 Section 313 for the second fiscal year after the pupil has been
21 redesignated as fluent English proficient.

22 (4) (A) Multiply the sum of paragraphs (1), (2), and (3) by the
23 total number of units of average daily attendance for pupils
24 attending schools operated by a county superintendent of schools,
25 excluding units of average daily attendance for pupils attending
26 schools or classes established pursuant to Article 2.5 (commencing
27 with Section 48645) of Chapter 4 of Part 27 of Division 4 of Title
28 2, who are enrolled pursuant to any of the following:

29 (i) Probation-referred pursuant to Sections 300, 601, 602, and
30 654 of the Welfare and Institutions Code.

31 (ii) On probation or parole and not in attendance in a school.

32 (iii) Expelled for any of the reasons specified in subdivision (a)
33 or (c) of Section 48915.

34 (B) Multiply the number of units of average daily attendance
35 for pupils attending schools or classes established pursuant to
36 Article 2.5 (commencing with Section 48645) of Chapter 4 of Part
37 27 of Division 4 of Title 2 by the sum of the base grant calculated
38 pursuant to paragraph (1), a supplemental grant equal to 35 percent
39 of the base grant calculated pursuant to paragraph (1), and a
40 concentration grant equal to 17.5 percent of the base grant

1 ~~calculated pursuant to paragraph (1). Funds provided for the~~
2 ~~supplemental and concentration grants pursuant to this calculation~~
3 ~~shall be expended in accordance with the regulations adopted~~
4 ~~pursuant to Section 42238.07.~~

5 ~~(C) Add the amounts calculated in subparagraphs (A) and (B).~~

6 ~~(d) Add the amount calculated in subdivision (a) to the amount~~
7 ~~calculated in subparagraph (C) of paragraph (4) of subdivision (c).~~

8 ~~(e) Add all of the following to the amount calculated in~~
9 ~~subdivision (d):~~

10 ~~(1) The amount of funding a county superintendent of schools~~
11 ~~received for the 2012–13 fiscal year from funds allocated pursuant~~
12 ~~to the Targeted Instructional Improvement Block Grant program,~~
13 ~~as set forth in Article 6 (commencing with Section 41540) of~~
14 ~~Chapter 3.2 of Part 24 of Division 3 of Title 2, as that article read~~
15 ~~on January 1, 2013.~~

16 ~~(2) (A) The amount of funding a county superintendent of~~
17 ~~schools received for the 2012–13 fiscal year from funds allocated~~
18 ~~pursuant to the Home-to-School Transportation program, as set~~
19 ~~forth in Article 2 (commencing with Section 39820) of Chapter 1~~
20 ~~of Part 23.5 of Division 3 of Title 2, Article 10 (commencing with~~
21 ~~Section 41850) of Chapter 5 of Part 24 of Division 3 of Title 2,~~
22 ~~and the Small School District Transportation program, as set forth~~
23 ~~in Article 4.5 (commencing with Section 42290) of Chapter 7 of~~
24 ~~Part 24 of Division 3 of Title 2, as those articles read on January~~
25 ~~1, 2013.~~

26 ~~(B) On or before March 1, 2014, the Legislative Analyst's Office~~
27 ~~shall submit recommendations to the fiscal committees of both~~
28 ~~houses of the Legislature regarding revisions to the methods of~~
29 ~~funding pupil transportation that address historical funding~~
30 ~~inequities across county offices of education and school districts~~
31 ~~and improve incentives for local educational agencies to provide~~
32 ~~efficient and effective pupil transportation services.~~

33 ~~(f) This section shall become inoperative upon the adoption of~~
34 ~~statewide pupil redesignation standards after January 1, 2015, by~~
35 ~~statute or regulation, or on July 1, 2018, whichever occurs first,~~
36 ~~and, as of January 1, 2019, is repealed, unless a later enacted~~
37 ~~statute, that becomes operative on or before January 1, 2019,~~
38 ~~deletes or extends the conditions on which it becomes inoperative~~
39 ~~and is repealed.~~

40 ~~SEC. 2. Section 2574 is added to the Education Code, to read:~~

1 ~~2574. For the 2013–14 fiscal year and for each fiscal year~~
2 ~~thereafter, the Superintendent annually shall calculate a county~~
3 ~~local control funding formula for each county superintendent of~~
4 ~~schools as follows:~~

5 ~~(a) Compute a county office of education operations grant equal~~
6 ~~to the sum of each of the following amounts:~~

7 ~~(1) Six hundred fifty-five thousand nine hundred twenty dollars~~
8 ~~(\$655,920).~~

9 ~~(2) One hundred nine thousand three hundred twenty dollars~~
10 ~~(\$109,320) multiplied by the number of school districts for which~~
11 ~~the county superintendent of schools has jurisdiction pursuant to~~
12 ~~Section 1253.~~

13 ~~(3) (A) Seventy dollars (\$70) multiplied by the number of units~~
14 ~~of countywide average daily attendance, up to a maximum of~~
15 ~~30,000 units.~~

16 ~~(B) Sixty dollars (\$60) multiplied by the number of units of~~
17 ~~countywide average daily attendance for the portion of countywide~~
18 ~~average daily attendance, if any, above 30,000 units, up to a~~
19 ~~maximum of 60,000 units.~~

20 ~~(C) Fifty dollars (\$50) multiplied by the number of units of~~
21 ~~countywide average daily attendance for the portion of countywide~~
22 ~~average daily attendance, if any, above 60,000, up to a maximum~~
23 ~~of 140,000 units.~~

24 ~~(D) Forty dollars (\$40) multiplied by the number of units of~~
25 ~~countywide average daily attendance for the portion of countywide~~
26 ~~average daily attendance, if any, above 140,000 units.~~

27 ~~(E) For purposes of this section, countywide average daily~~
28 ~~attendance means the aggregate number of annual units of average~~
29 ~~daily attendance within the county attributable to all school districts~~
30 ~~for which the county superintendent of schools has jurisdiction~~
31 ~~pursuant to Section 1253, charter schools authorized by school~~
32 ~~districts for which the county superintendent of schools has~~
33 ~~jurisdiction, and charter schools authorized by the county~~
34 ~~superintendent of schools.~~

35 ~~(4) For the 2014–15 fiscal year and each fiscal year thereafter,~~
36 ~~adjust each of the rates provided in the prior year pursuant to~~
37 ~~paragraphs (1), (2), and (3) by the percentage change in the annual~~
38 ~~average value of the Implicit Price Deflator for State and Local~~
39 ~~Government Purchases of Goods and Services for the United States,~~
40 ~~as published by the United States Department of Commerce for~~

1 the 12-month period ending in the third quarter of the prior fiscal
2 year. This percentage change shall be determined using the latest
3 data available as of May 10 of the preceding fiscal year compared
4 with the annual average value of the same deflator for the 12-month
5 period ending in the third quarter of the second preceding fiscal
6 year, using the latest data available as of May 10 of the preceding
7 fiscal year, as reported by the Department of Finance.

8 (b) Determine the enrollment percentage of unduplicated pupils
9 pursuant to the following:

10 (1) (A) For the 2013–14 fiscal year, divide the enrollment of
11 unduplicated pupils in all schools operated by a county
12 superintendent of schools in the 2013–14 fiscal year by the total
13 enrollment in those schools in the 2013–14 fiscal year.

14 (B) For the 2014–15 fiscal year, divide the sum of the enrollment
15 of unduplicated pupils in all schools operated by a county
16 superintendent of schools in the 2013–14 and 2014–15 fiscal years
17 by the sum of the total enrollment in those schools in the 2013–14
18 and 2014–15 fiscal years.

19 (C) For the 2015–16 fiscal year and each fiscal year thereafter,
20 divide the sum of the enrollment of unduplicated pupils in all
21 schools operated by a county superintendent of schools in the
22 current fiscal year and the two prior fiscal years by the sum of the
23 total enrollment in those schools in the current fiscal year and the
24 two prior fiscal years.

25 (D) For purposes of determining the enrollment percentage of
26 unduplicated pupils pursuant to this subdivision, enrollment in
27 schools or classes established pursuant to Article 2.5 (commencing
28 with Section 48645) of Chapter 4 of Part 27 of Division 4 of Title
29 2 and the enrollment of pupils other than the pupils identified in
30 clauses (i) to (iii), inclusive, of subparagraph (A) of paragraph (4)
31 of subdivision (c), shall be excluded from the calculation of the
32 enrollment percentage of unduplicated pupils.

33 (2) For purposes of this section, an “unduplicated pupil” is a
34 pupil who is classified as an English learner, eligible for a free or
35 reduced-price meal, or a foster youth. For purposes of this section,
36 the definitions in Section 42238.01 of an English learner, a pupil
37 eligible for a free or reduced-price meal, and foster youth shall
38 apply. A pupil shall be counted only once for purposes of this
39 section if any of the following apply:

1 (A) The pupil is classified as an English learner and is eligible
2 for a free or reduced-price meal.

3 (B) The pupil is classified as an English learner and is a foster
4 youth.

5 (C) The pupil is eligible for a free or reduced-price meal and is
6 classified as a foster youth.

7 (D) The pupil is classified as an English learner, is eligible for
8 a free or reduced-price meal, and is a foster youth.

9 (3) (A) Under procedures and timeframes established by the
10 Superintendent, commencing with the 2013–14 fiscal year, a county
11 superintendent of schools annually shall report the enrollment of
12 unduplicated pupils, pupils classified as English learners, pupils
13 eligible for free and reduced-price meals, and foster youth in
14 schools operated by the county superintendent of schools to the
15 Superintendent using the California Longitudinal Pupil
16 Achievement Data System.

17 (B) The Superintendent shall make the calculations pursuant to
18 this section using the data submitted through the California
19 Longitudinal Pupil Achievement Data System.

20 (C) The Controller shall include instructions, as appropriate, in
21 the audit guide required by subdivision (a) of Section 14502.1, for
22 determining if the data reported by a county superintendent of
23 schools using the California Longitudinal Pupil Achievement Data
24 System is consistent with pupil data records maintained by the
25 county office of education.

26 (e) Compute an alternative education grant equal to the sum of
27 the following:

28 (1) (A) For the 2013–14 fiscal year, a base grant equal to the
29 2012–13 per pupil undeficitated statewide average juvenile court
30 school base revenue limit calculated pursuant to Article 3
31 (commencing with Section 2550) of Chapter 12, as that article
32 read on January 1, 2013.

33 (B) Commencing with the 2013–14 fiscal year, the per pupil
34 base grant shall be adjusted by the percentage change in the annual
35 average value of the Implicit Price Deflator for State and Local
36 Government Purchases of Goods and Services for the United States,
37 as published by the United States Department of Commerce for
38 the 12-month period ending in the third quarter of the prior fiscal
39 year. This percentage change shall be determined using the latest
40 data available as of May 10 of the preceeding fiscal year compared

1 with the annual average value of the same deflator for the 12-month
2 period ending in the third quarter of the second preceding fiscal
3 year, using the latest data available as of May 10 of the preceding
4 fiscal year, as reported by the Department of Finance.

5 (2) (A) A supplemental grant equal to 35 percent of the base
6 grant described in paragraph (1) multiplied by the enrollment
7 percentage calculated in subdivision (b). The supplemental grant
8 shall be expended in accordance with the regulations adopted
9 pursuant to Section 42238.07.

10 (B) If a pupil has been redesignated as fluent English proficient
11 pursuant to Section 313 before this section is operative and a
12 county superintendent of schools has not already received, for the
13 first fiscal year after the pupil has been redesignated as fluent
14 English proficient, 50 percent of, and for the second fiscal year
15 after the pupil has been redesignated as fluent English proficient,
16 25 percent of, the supplemental grant calculated pursuant to
17 subparagraph (A), the county superintendent of schools shall
18 receive the applicable percentage of the supplemental grant
19 calculated pursuant to subparagraph (A) for the pupil redesignated
20 as fluent English proficient until he or she has received the
21 applicable percentage of the supplemental grant for the applicable
22 fiscal year.

23 (3) (A) A concentration grant equal to 35 percent of the base
24 grant described in paragraph (1) multiplied by the greater of either
25 of the following:

26 (i) The enrollment percentage calculated in subdivision (b) less
27 50 percent.

28 (ii) Zero.

29 (B) The concentration grant shall be expended in accordance
30 with the regulations adopted pursuant to Section 42238.07.

31 (C) If a pupil has been redesignated as fluent English proficient
32 pursuant to Section 313 before this section is operative and a
33 county superintendent of schools has not already received, for the
34 first fiscal year after the pupil has been redesignated as fluent
35 English proficient, 50 percent of, and for the second fiscal year
36 after the pupil has been redesignated as fluent English proficient,
37 25 percent of, the concentration grant calculated pursuant to
38 subparagraph (A), the county superintendent of schools shall
39 receive the applicable percentage of the concentration grant
40 calculated pursuant to subparagraph (A) for the pupil redesignated

1 as fluent English proficient until he or she has received the
2 applicable percentage of the concentration grant for the applicable
3 fiscal year.

4 (4) (A) Multiply the sum of paragraphs (1), (2), and (3) by the
5 total number of units of average daily attendance for pupils
6 attending schools operated by a county superintendent of schools,
7 excluding units of average daily attendance for pupils attending
8 schools or classes established pursuant to Article 2.5 (commencing
9 with Section 48645) of Chapter 4 of Part 27 of Division 4 of Title
10 2, who are enrolled pursuant to any of the following:

11 (i) Probation-referred pursuant to Sections 300, 601, 602, and
12 654 of the Welfare and Institutions Code.

13 (ii) On probation or parole and not in attendance in a school.

14 (iii) Expelled for any of the reasons specified in subdivision (a)
15 or (c) of Section 48915.

16 (B) Multiply the number of units of average daily attendance
17 for pupils attending schools or classes established pursuant to
18 Article 2.5 (commencing with Section 48645) of Chapter 4 of Part
19 27 of Division 4 of Title 2 by the sum of the base grant calculated
20 pursuant to paragraph (1), a supplemental grant equal to 35 percent
21 of the base grant calculated pursuant to paragraph (1), and a
22 concentration grant equal to 17.5 percent of the base grant
23 calculated pursuant to paragraph (1). Funds provided for the
24 supplemental and concentration grants pursuant to this calculation
25 shall be expended in accordance with the regulations adopted
26 pursuant to Section 42238.07.

27 (C) Add the amounts calculated in subparagraphs (A) and (B).

28 (d) Add the amount calculated in subdivision (a) to the amount
29 calculated in subparagraph (C) of paragraph (4) of subdivision (c).

30 (e) Add all of the following to the amount calculated in
31 subdivision (d):

32 (1) The amount of funding a county superintendent of schools
33 received for the 2012–13 fiscal year from funds allocated pursuant
34 to the Targeted Instructional Improvement Block Grant program,
35 as set forth in Article 6 (commencing with Section 41540) of
36 Chapter 3.2 of Part 24 of Division 3 of Title 2, as that article read
37 on January 1, 2013.

38 (2) (A) The amount of funding a county superintendent of
39 schools received for the 2012–13 fiscal year from funds allocated
40 pursuant to the Home-to-School Transportation program, as set

1 forth in Article 2 (commencing with Section 39820) of Chapter 1
2 of Part 23.5 of Division 3 of Title 2, Article 10 (commencing with
3 Section 41850) of Chapter 5 of Part 24 of Division 3 of Title 2,
4 and the Small School District Transportation program, as set forth
5 in Article 4.5 (commencing with Section 42290) of Chapter 7 of
6 Part 24 of Division 3 of Title 2, as those articles read on January
7 1, 2013.

8 (B) On or before March 1, 2014, the Legislative Analyst's Office
9 shall submit recommendations to the fiscal committees of both
10 houses of the Legislature regarding revisions to the methods of
11 funding pupil transportation that address historical funding
12 inequities across county offices of education and school districts
13 and improve incentives for local educational agencies to provide
14 efficient and effective pupil transportation services.

15 (f) This section shall become operative upon the adoption of
16 statewide pupil redesignation standards after January 1, 2015, by
17 statute or regulation, or on July 1, 2018, whichever occurs first.

18 SEC. 3. Section 42238.02 of the Education Code is amended
19 to read:

20 42238.02. (a) The amount computed pursuant to this section
21 shall be known as the school district and charter school local
22 control funding formula.

23 (b) (1) For purposes of this section "unduplicated pupil" means
24 a pupil enrolled in a school district or a charter school who is
25 classified as an English learner, eligible for a free or reduced-price
26 meal, a foster youth, or redesignated as fluent English proficient
27 pursuant to Section 313. A pupil shall be counted only once for
28 purposes of this section if any of the following apply:

29 (A) The pupil is classified as an English learner and is eligible
30 for a free or reduced-price meal.

31 (B) The pupil is classified as an English learner and is a foster
32 youth.

33 (C) The pupil is eligible for a free or reduced-price meal and is
34 classified as a foster youth.

35 (D) The pupil is classified as an English learner, is eligible for
36 a free or reduced-price meal, and is a foster youth.

37 (E) The pupil is redesignated as fluent English proficient
38 pursuant to Section 313 and meets the requirements of paragraph
39 (2) of subdivision (e) and paragraph (3) of subdivision (f), and is

1 eligible for a free or reduced-price meal, or is a foster youth, or
2 both.

3 (2) Under procedures and timeframes established by the
4 Superintendent, commencing with the 2013–14 fiscal year, a school
5 district or charter school shall annually submit its enrolled free
6 and reduced-price meal eligibility, foster youth, English learner,
7 and redesignated as fluent English proficient pupil-level records
8 for enrolled pupils to the Superintendent using the California
9 Longitudinal Pupil Achievement Data System.

10 (3) (A) Commencing with the 2013–14 fiscal year, a county
11 office of education shall review and validate certified aggregate
12 English learner, foster youth, free or reduced-price meal eligible,
13 and redesignated as fluent English proficient pupil data for school
14 districts and charter schools under its jurisdiction to ensure the
15 data is reported accurately. The Superintendent shall provide each
16 county office of education with appropriate access to school district
17 and charter school data reports in the California Longitudinal Pupil
18 Achievement Data System for purposes of ensuring data reporting
19 accuracy.

20 (B) The Controller shall include the instructions necessary to
21 enforce paragraph (2) in the audit guide required by Section
22 14502.1. The instructions shall include, but are not necessarily
23 limited to, procedures for determining if the English learner, foster
24 youth, free or reduced-price meal eligible, and redesignated as
25 fluent English proficient pupil counts are consistent with the school
26 district's or charter school's English learner, foster youth, free or
27 reduced-price meal eligible, and redesignated as fluent English
28 proficient pupil records.

29 (4) The Superintendent shall make the calculations pursuant to
30 this section using the data submitted by local educational agencies,
31 including charter schools, through the California Longitudinal
32 Pupil Achievement Data System. Under timeframes and procedures
33 established by the Superintendent, school districts and charter
34 schools may review and revise their submitted data on English
35 learner, foster youth, free or reduced-price meal eligible, and
36 redesignated as fluent English proficient pupil counts to ensure
37 the accuracy of data reflected in the California Longitudinal Pupil
38 Achievement Data System.

39 (5) The Superintendent shall annually compute the percentage
40 of unduplicated pupils for each school district and charter school

1 by dividing the enrollment of unduplicated pupils in a school
2 district or charter school by the total enrollment in that school
3 district or charter school pursuant to all of the following:

4 (A) For the 2013–14 fiscal year, divide the sum of unduplicated
5 pupils for the 2013–14 fiscal year by the sum of the total pupil
6 enrollment for the 2013–14 fiscal year.

7 (B) For the 2014–15 fiscal year, divide the sum of unduplicated
8 pupils for the 2013–14 and 2014–15 fiscal years by the sum of the
9 total pupil enrollment for the 2013–14 and 2014–15 fiscal years.

10 (C) For the 2015–16 fiscal year and each fiscal year thereafter,
11 divide the sum of unduplicated pupils for the current fiscal year
12 and the two prior fiscal years by the sum of the total pupil
13 enrollment for the current fiscal year and the two prior fiscal years.

14 (e) Commencing with the 2013–14 fiscal year and each fiscal
15 year thereafter, the Superintendent shall annually calculate a local
16 control funding formula grant for each school district and charter
17 school in the state pursuant to this section.

18 (d) The Superintendent shall compute a grade span adjusted
19 base grant equal to the total of the following amounts:

20 (1) For the 2013–14 fiscal year, a base grant of:

21 (A) Six thousand eight hundred forty-five dollars (\$6,845) for
22 average daily attendance in kindergarten and grades 1 to 3,
23 inclusive.

24 (B) Six thousand nine hundred forty-seven dollars (\$6,947) for
25 average daily attendance in grades 4 to 6, inclusive.

26 (C) Seven thousand one hundred fifty-four dollars (\$7,154) for
27 average daily attendance in grades 7 and 8.

28 (D) Eight thousand two hundred eighty-nine dollars (\$8,289)
29 for average daily attendance in grades 9 to 12, inclusive.

30 (2) In each year the grade span adjusted base grants in paragraph
31 (1) shall be adjusted by the percentage change in the annual average
32 value of the Implicit Price Deflator for State and Local Government
33 Purchases of Goods and Services for the United States, as published
34 by the United States Department of Commerce for the 12-month
35 period ending in the third quarter of the prior fiscal year. This
36 percentage change shall be determined using the latest data
37 available as of May 10 of the preceding fiscal year compared with
38 the annual average value of the same deflator for the 12-month
39 period ending in the third quarter of the second preceding fiscal

1 year, using the latest data available as of May 10 of the preceding
2 fiscal year, as reported by the Department of Finance.

3 ~~(3) (A) The Superintendent shall compute an additional~~
4 ~~adjustment to the kindergarten and grades 1 to 3, inclusive, base~~
5 ~~grant as adjusted for inflation pursuant to paragraph (2) equal to~~
6 ~~10.4 percent. The additional grant shall be calculated by~~
7 ~~multiplying the kindergarten and grades 1 to 3, inclusive, base~~
8 ~~grant, as adjusted by paragraph (2), by 10.4 percent.~~

9 ~~(B) Until paragraph (4) of subdivision (b) of Section 42238.03~~
10 ~~is effective, as a condition of the receipt of funds in this paragraph,~~
11 ~~a school district shall make progress toward maintaining an average~~
12 ~~class enrollment of not more than 24 pupils for each schoolsite in~~
13 ~~kindergarten and grades 1 to 3, inclusive, unless a collectively~~
14 ~~bargained alternative annual average class enrollment for each~~
15 ~~schoolsite in those grades is agreed to by the school district,~~
16 ~~pursuant to the following calculation:~~

17 ~~(i) Determine a school district's average class enrollment for~~
18 ~~each schoolsite for kindergarten and grades 1 to 3, inclusive, in~~
19 ~~the prior year. For the 2013-14 fiscal year, this amount shall be~~
20 ~~the average class enrollment for each schoolsite for kindergarten~~
21 ~~and grades 1 to 3, inclusive, in the 2012-13 fiscal year.~~

22 ~~(ii) Determine a school district's proportion of total need~~
23 ~~pursuant to paragraph (2) of subdivision (b) of Section 42238.03.~~

24 ~~(iii) Determine the percentage of the need calculated in clause~~
25 ~~(ii) that is met by funding provided to the school district pursuant~~
26 ~~to paragraph (3) of subdivision (b) of Section 42238.03.~~

27 ~~(iv) Determine the difference between the amount computed~~
28 ~~pursuant to clause (i) and an average class enrollment of not more~~
29 ~~than 24 pupils.~~

30 ~~(v) Calculate a current year average class enrollment adjustment~~
31 ~~for each schoolsite for kindergarten and grades 1 to 3, inclusive,~~
32 ~~equal to the adjustment calculated in clause (iv) multiplied by the~~
33 ~~percentage determined pursuant to clause (iii).~~

34 ~~(C) School districts that have an average class enrollment for~~
35 ~~each schoolsite for kindergarten and grades 1 to 3, inclusive, of~~
36 ~~24 pupils or less for each schoolsite in the 2012-13 fiscal year,~~
37 ~~shall be exempt from the requirements of subparagraph (B) so long~~
38 ~~as the school district continues to maintain an average class~~
39 ~~enrollment for each schoolsite for kindergarten and grades 1 to 3,~~

1 inclusive, of not more than 24 pupils, unless a collectively
2 bargained alternative ratio is agreed to by the school district.

3 ~~(D) Upon full implementation of the local control funding~~
4 ~~formula, as a condition of the receipt of funds in this paragraph,~~
5 ~~all school districts shall maintain an average class enrollment for~~
6 ~~each schoolsite for kindergarten and grades 1 to 3, inclusive, of~~
7 ~~not more than 24 pupils for each schoolsite in kindergarten and~~
8 ~~grades 1 to 3, inclusive, unless a collectively bargained alternative~~
9 ~~ratio is agreed to by the school district.~~

10 ~~(E) The average class enrollment requirement for each schoolsite~~
11 ~~for kindergarten and grades 1 to 3, inclusive, established pursuant~~
12 ~~to this paragraph shall not be subject to waiver by the state board~~
13 ~~pursuant to Section 33050 or by the Superintendent.~~

14 ~~(F) The Controller shall include the instructions necessary to~~
15 ~~enforce this paragraph in the audit guide required by Section~~
16 ~~14502.1. The instructions shall include, but are not necessarily~~
17 ~~limited to, procedures for determining if the average class~~
18 ~~enrollment for each schoolsite for kindergarten and grades 1 to 3,~~
19 ~~inclusive, exceeds 24 pupils, or an alternative average class~~
20 ~~enrollment for each schoolsite pursuant to a collectively bargained~~
21 ~~alternative ratio. The procedures for determining average class~~
22 ~~enrollment for each schoolsite shall include criteria for employing~~
23 ~~sampling.~~

24 ~~(4) The Superintendent shall compute an additional adjustment~~
25 ~~to the base grant for grades 9 to 12, inclusive, as adjusted for~~
26 ~~inflation pursuant to paragraph (2), equal to 2.6 percent. The~~
27 ~~additional grant shall be calculated by multiplying the base grant~~
28 ~~for grades 9 to 12, inclusive, as adjusted by paragraph (2), by 2.6~~
29 ~~percent.~~

30 ~~(e) (1) The Superintendent shall compute a supplemental grant~~
31 ~~add-on equal to 20 percent of the base grants as specified in~~
32 ~~subparagraphs (A) to (D), inclusive, of paragraph (1) of subdivision~~
33 ~~(d), as adjusted by paragraphs (2) to (4), inclusive, of subdivision~~
34 ~~(d), for each school district's or charter school's percentage of~~
35 ~~unduplicated pupils calculated pursuant to paragraph (5) of~~
36 ~~subdivision (b). The supplemental grant shall be calculated by~~
37 ~~multiplying the base grants as specified in subparagraphs (A) to~~
38 ~~(D), inclusive, of paragraph (1), as adjusted by paragraphs (2) to~~
39 ~~(4), inclusive, of subdivision (d), by 20 percent and by the~~
40 ~~percentage of unduplicated pupils calculated pursuant to paragraph~~

1 (5) of subdivision (b) in that school district or charter school. The
2 supplemental grant shall be expended in accordance with the
3 regulations adopted pursuant to Section 42238.07.

4 (2) (A) A school district or charter school shall receive 50
5 percent of the supplemental grant add-on calculated pursuant to
6 paragraph (1) for a pupil redesignated as fluent English proficient
7 pursuant to Section 313 for the first fiscal year after the pupil has
8 been redesignated as fluent English proficient.

9 (B) A school district or charter school shall receive 25 percent
10 of the supplemental grant add-on calculated pursuant to paragraph
11 (1) for a pupil redesignated as fluent English proficient pursuant
12 to Section 313 for the second fiscal year after the pupil has been
13 redesignated as fluent English proficient.

14 (f) (1) The Superintendent shall compute a concentration grant
15 add-on equal to 50 percent of the base grants as specified in
16 subparagraphs (A) to (D), inclusive, of paragraph (1) of subdivision
17 (d), as adjusted by paragraphs (2) to (4), inclusive, of subdivision
18 (d), for each school district's or charter school's percentage of
19 unduplicated pupils calculated pursuant to paragraph (5) of
20 subdivision (b) in excess of 55 percent of the school district's or
21 charter school's total enrollment. The concentration grant shall be
22 calculated by multiplying the base grants as specified in
23 subparagraphs (A) to (D), inclusive, of paragraph (1) of subdivision
24 (d), as adjusted by paragraphs (2) to (4), inclusive, of subdivision
25 (d), by 50 percent and by the percentage of unduplicated pupils
26 calculated pursuant to paragraph (5) of subdivision (b) in excess
27 of 55 percent of the total enrollment in that school district or charter
28 school.

29 (2) For a charter school physically located in only one school
30 district, the percentage of unduplicated pupils calculated pursuant
31 to paragraph (5) of subdivision (b) in excess of 55 percent used to
32 calculate concentration grants shall not exceed the percentage of
33 unduplicated pupils calculated pursuant to paragraph (5) of
34 subdivision (b) in excess of 55 percent of the school district in
35 which the charter school is physically located. For a charter school
36 physically located in more than one school district, the charter
37 school's percentage of unduplicated pupils calculated pursuant to
38 paragraph (5) of subdivision (b) in excess of 55 percent used to
39 calculate concentration grants shall not exceed that of the school
40 district with the highest percentage of unduplicated pupils

1 calculated pursuant to paragraph (5) of subdivision (b) in excess
2 of 55 percent of the school districts in which the charter school
3 has a school facility. The concentration grant shall be expended
4 in accordance with the regulations adopted pursuant to Section
5 42238.07.

6 (3) (A) A school district or charter school shall receive 50
7 percent of the concentration grant add-on calculated pursuant to
8 paragraph (1) for a pupil redesignated as fluent English proficient
9 pursuant to Section 313 for the first fiscal year after the pupil has
10 been redesignated as fluent English proficient.

11 (B) A school district or charter school shall receive 25 percent
12 of the concentration grant add-on calculated pursuant to paragraph
13 (1) for a pupil redesignated as fluent English proficient pursuant
14 to Section 313 for the second fiscal year after the pupil has been
15 redesignated as fluent English proficient.

16 (g) The Superintendent shall compute an add-on to the total
17 sum of a school district's or charter school's base, supplemental,
18 and concentration grants equal to the amount of funding a school
19 district or charter school received from funds allocated pursuant
20 to the Targeted Instructional Improvement Block Grant program,
21 as set forth in Article 6 (commencing with Section 41540) of
22 Chapter 3.2, for the 2012-13 fiscal year, as that article read on
23 January 1, 2013. A school district or charter school shall not receive
24 a total funding amount from this add-on greater than the total
25 amount of funding received by the school district or charter school
26 from that program in the 2012-13 fiscal year. The amount
27 computed pursuant to this subdivision shall reflect the reduction
28 specified in paragraph (2) of subdivision (a) of Section 42238.03.

29 (h) The Superintendent shall compute an add-on to the total
30 sum of a school district's or charter school's base, supplemental,
31 and concentration grants equal to the amount of funding a school
32 district or charter school received from funds allocated pursuant
33 to the Home-to-School Transportation program, as set forth in
34 former Article 2 (commencing with Section 39820) of Chapter 1
35 of Part 23.5, former Article 10 (commencing with Section 41850)
36 of Chapter 5, and the Small School District Transportation
37 program, as set forth in former Article 4.5 (commencing with
38 Section 42290), for the 2012-13 fiscal year. A school district or
39 charter school shall not receive a total funding amount from this
40 add-on greater than the total amount received by the school district

1 or charter school for those programs in the 2012–13 fiscal year.
2 The amount computed pursuant to this subdivision shall reflect
3 the reduction specified in paragraph (2) of subdivision (a) of
4 Section 42238.03.

5 (i) (1) The sum of the local control funding formula rates
6 computed pursuant to subdivisions (e) to (f), inclusive, shall be
7 multiplied by:

8 (A) For school districts, the average daily attendance of the
9 school district in the corresponding grade level ranges computed
10 pursuant to Section 42238.05, excluding the average daily
11 attendance computed pursuant to paragraph (2) of subdivision (a)
12 of Section 42238.05 for purposes of the computation specified in
13 subdivision (d).

14 (B) For charter schools, the total current year average daily
15 attendance in the corresponding grade level ranges.

16 (2) The amount computed pursuant to Article 4 (commencing
17 with Section 42280) shall be added to the amount computed
18 pursuant to paragraphs (1) to (4), inclusive, of subdivision (d), as
19 multiplied by subparagraph (A) or (B) of paragraph (1), as
20 appropriate.

21 (j) The Superintendent shall adjust the sum of each school
22 district's or charter school's amount determined in subdivisions
23 (g) to (i), inclusive, pursuant to the calculation specified in Section
24 42238.03, less the sum of the following:

25 (1) (A) For school districts, the property tax revenue received
26 pursuant to Chapter 3.5 (commencing with Section 75) and Chapter
27 6 (commencing with Section 95) of Part 0.5 of Division 1 of the
28 Revenue and Taxation Code.

29 (B) For charter schools, the in-lieu property tax amount provided
30 to a charter school pursuant to Section 47635.

31 (2) The amount, if any, received pursuant to Part 18.5
32 (commencing with Section 38101) of Division 2 of the Revenue
33 and Taxation Code.

34 (3) The amount, if any, received pursuant to Chapter 3
35 (commencing with Section 16140) of Part 1 of Division 4 of Title
36 2 of the Government Code.

37 (4) Prior years' taxes and taxes on the unsecured roll.

38 (5) Fifty percent of the amount received pursuant to Section
39 41603.

~~(6) The amount, if any, received pursuant to the Community Redevelopment Law (Part 1 (commencing with Section 33000) of Division 24 of the Health and Safety Code), less any amount received pursuant to Section 33401 or 33676 of the Health and Safety Code that is used for land acquisition, facility construction, reconstruction, or remodeling, or deferred maintenance and that is not an amount received pursuant to Section 33492.15, or paragraph (4) of subdivision (a) of Section 33607.5, or Section 33607.7 of the Health and Safety Code that is allocated exclusively for educational facilities.~~

~~(7) The amount, if any, received pursuant to Sections 34177, 34179.5, 34179.6, 34183, and 34188 of the Health and Safety Code.~~

~~(8) Revenue received pursuant to subparagraph (B) of paragraph (3) of subdivision (c) of Section 36 of Article XIII of the California Constitution.~~

~~(k) A school district shall annually transfer to each of its charter schools funding in lieu of property taxes pursuant to Section 47635.~~

~~(l) (1) Nothing in this section shall be interpreted to authorize a school district that receives funding on behalf of a charter school pursuant to Section 47651 to redirect this funding for another purpose unless otherwise authorized in law pursuant to paragraph (2) or pursuant to an agreement between the charter school and its chartering authority.~~

~~(2) A school district that received funding on behalf of a locally funded charter school in the 2012-13 fiscal year pursuant to paragraph (2) of subdivision (b) of Section 42605, Section 42606, and subdivision (b) of Section 47634.1, as those sections read on January 1, 2013, or a school district that was required to pass through funding to a conversion charter school in the 2012-13 fiscal year pursuant to paragraph (2) of subdivision (b) of Section 42606, as that section read on January 1, 2013, may annually redirect for another purpose a percentage of the amount of the funding received on behalf of that charter school. The percentage of funding that may be redirected shall be determined pursuant to the following computation:~~

~~(A) (i) Determine the sum of the need fulfilled for that charter school pursuant to paragraph (3) of subdivision (b) of Section 42238.03 in the then current fiscal year for the charter school.~~

1 (ii) ~~Determine the sum of the need fulfilled in every fiscal year~~
2 ~~before the then current fiscal year pursuant to paragraph (3) of~~
3 ~~subdivision (b) of Section 42238.03 adjusted for changes in average~~
4 ~~daily attendance pursuant to paragraph (3) of subdivision (a) of~~
5 ~~Section 42238.03 for the charter school.~~

6 (iii) ~~Subtract the amount computed pursuant to paragraphs (1)~~
7 ~~to (3), inclusive, of subdivision (a) of Section 42238.03 from the~~
8 ~~amount computed for that charter school under the local control~~
9 ~~funding formula entitlement computed pursuant to subdivision (i).~~

10 (iv) ~~Compute a percentage by dividing the sum of the amounts~~
11 ~~computed pursuant to clauses (i) and (ii) by the amount computed~~
12 ~~pursuant to clause (iii).~~

13 (B) ~~Multiply the percentage computed pursuant to subparagraph~~
14 ~~(A) by the amount of funding the school district received on behalf~~
15 ~~of the charter school in the 2012–13 fiscal year pursuant to~~
16 ~~paragraph (2) of subdivision (b) of Section 42605, Section 42606,~~
17 ~~and subdivision (b) of Section 47634.1, as those sections read on~~
18 ~~January 1, 2013.~~

19 (C) ~~The maximum amount that may be redirected shall be the~~
20 ~~lesser of the amount of funding the school district received on~~
21 ~~behalf of the charter school in the 2012–13 fiscal year pursuant to~~
22 ~~paragraph (2) of subdivision (b) of Section 42605, Section 42606,~~
23 ~~and subdivision (b) of Section 47634.1, as those sections read on~~
24 ~~January 1, 2013, or the amount computed pursuant to subparagraph~~
25 ~~(B).~~

26 (3) ~~Commencing with the 2013–14 fiscal year, a school district~~
27 ~~operating one or more affiliated charter schools shall provide each~~
28 ~~affiliated charter school schoolsite with no less than the amount~~
29 ~~of funding the schoolsite received pursuant to the charter school~~
30 ~~block grant in the 2012–13 fiscal year.~~

31 (m) ~~Any calculations in law that are used for purposes of~~
32 ~~determining if a local educational agency is an excess tax school~~
33 ~~entity or basic aid school district, including, but not limited to, this~~
34 ~~section and Sections 42238.03, 41544, 47632, 47660, 47663,~~
35 ~~48310, and 48359.5, and Section 95 of the Revenue and Taxation~~
36 ~~Code, shall be made exclusive of the revenue received pursuant~~
37 ~~to subparagraph (B) of paragraph (3) of subdivision (e) of Section~~
38 ~~36 of Article XIII of the California Constitution.~~

39 (n) ~~The funds apportioned pursuant to this section and Section~~
40 ~~42238.03 shall be available to implement the activities required~~

~~pursuant to Article 4.5 (commencing with Section 52060) of Chapter 6.1 of Part 28 of Division 4.~~

~~(e) A school district that does not receive an apportionment of state funds pursuant to this section, as implemented pursuant to Section 42238.03, excluding funds apportioned pursuant to the requirements of subdivision (e) of Section 42238.03 shall be considered a “basic aid school district” or an “excess tax entity.”~~

~~(p) This section shall become inoperative upon the adoption of statewide pupil redesignation standards after January 1, 2015, by statute or regulation, or on July 1, 2018, whichever occurs first, and, as of January 1, 2019, is repealed, unless a later enacted statute, that becomes operative on or before January 1, 2019, deletes or extends the conditions on which it becomes inoperative and is repealed.~~

~~SEC. 4. Section 42238.02 is added to the Education Code, to read:~~

~~42238.02. (a) The amount computed pursuant to this section shall be known as the school district and charter school local control funding formula.~~

~~(b) (1) For purposes of this section “unduplicated pupil” means a pupil enrolled in a school district or a charter school who is classified as an English learner, eligible for a free or reduced-price meal, or is a foster youth. A pupil shall be counted only once for purposes of this section if any of the following apply:~~

~~(A) The pupil is classified as an English learner and is eligible for a free or reduced-price meal.~~

~~(B) The pupil is classified as an English learner and is a foster youth.~~

~~(C) The pupil is eligible for a free or reduced-price meal and is classified as a foster youth.~~

~~(D) The pupil is classified as an English learner, is eligible for a free or reduced-price meal, and is a foster youth.~~

~~(2) Under procedures and timeframes established by the Superintendent, commencing with the 2013–14 fiscal year, a school district or charter school shall annually submit its enrolled free and reduced-price meal eligibility, foster youth, and English learner pupil-level records for enrolled pupils to the Superintendent using the California Longitudinal Pupil Achievement Data System.~~

~~(3) (A) Commencing with the 2013–14 fiscal year, a county office of education shall review and validate certified aggregate~~

1 ~~English learner, foster youth, and free or reduced-price meal~~
2 ~~eligible pupil data for school districts and charter schools under~~
3 ~~its jurisdiction to ensure the data is reported accurately. The~~
4 ~~Superintendent shall provide each county office of education with~~
5 ~~appropriate access to school district and charter school data reports~~
6 ~~in the California Longitudinal Pupil Achievement Data System~~
7 ~~for purposes of ensuring data reporting accuracy.~~

8 ~~(B) The Controller shall include the instructions necessary to~~
9 ~~enforce paragraph (2) in the audit guide required by Section~~
10 ~~14502.1. The instructions shall include, but are not necessarily~~
11 ~~limited to, procedures for determining if the English learner, foster~~
12 ~~youth, and free or reduced-price meal eligible pupil counts are~~
13 ~~consistent with the school district's or charter school's English~~
14 ~~learner, foster youth, and free or reduced-price meal eligible pupil~~
15 ~~records.~~

16 ~~(4) The Superintendent shall make the calculations pursuant to~~
17 ~~this section using the data submitted by local educational agencies,~~
18 ~~including charter schools, through the California Longitudinal~~
19 ~~Pupil Achievement Data System. Under timeframes and procedures~~
20 ~~established by the Superintendent, school districts and charter~~
21 ~~schools may review and revise their submitted data on English~~
22 ~~learner, foster youth, and free or reduced-price meal eligible pupil~~
23 ~~counts to ensure the accuracy of data reflected in the California~~
24 ~~Longitudinal Pupil Achievement Data System.~~

25 ~~(5) The Superintendent shall annually compute the percentage~~
26 ~~of unduplicated pupils for each school district and charter school~~
27 ~~by dividing the enrollment of unduplicated pupils in a school~~
28 ~~district or charter school by the total enrollment in that school~~
29 ~~district or charter school pursuant to all of the following:~~

30 ~~(A) For the 2013–14 fiscal year, divide the sum of unduplicated~~
31 ~~pupils for the 2013–14 fiscal year by the sum of the total pupil~~
32 ~~enrollment for the 2013–14 fiscal year.~~

33 ~~(B) For the 2014–15 fiscal year, divide the sum of unduplicated~~
34 ~~pupils for the 2013–14 and 2014–15 fiscal years by the sum of the~~
35 ~~total pupil enrollment for the 2013–14 and 2014–15 fiscal years.~~

36 ~~(C) For the 2015–16 fiscal year and each fiscal year thereafter,~~
37 ~~divide the sum of unduplicated pupils for the current fiscal year~~
38 ~~and the two prior fiscal years by the sum of the total pupil~~
39 ~~enrollment for the current fiscal year and the two prior fiscal years.~~

~~(e) Commencing with the 2013–14 fiscal year and each fiscal year thereafter, the Superintendent shall annually calculate a local control funding formula grant for each school district and charter school in the state pursuant to this section.~~

~~(d) The Superintendent shall compute a grade span adjusted base grant equal to the total of the following amounts:~~

~~(1) For the 2013–14 fiscal year, a base grant of:~~

~~(A) Six thousand eight hundred forty-five dollars (\$6,845) for average daily attendance in kindergarten and grades 1 to 3, inclusive.~~

~~(B) Six thousand nine hundred forty-seven dollars (\$6,947) for average daily attendance in grades 4 to 6, inclusive.~~

~~(C) Seven thousand one hundred fifty-four dollars (\$7,154) for average daily attendance in grades 7 and 8.~~

~~(D) Eight thousand two hundred eighty-nine dollars (\$8,289) for average daily attendance in grades 9 to 12, inclusive.~~

~~(2) In each year the grade span adjusted base grants in paragraph (1) shall be adjusted by the percentage change in the annual average value of the Implicit Price Deflator for State and Local Government Purchases of Goods and Services for the United States, as published by the United States Department of Commerce for the 12-month period ending in the third quarter of the prior fiscal year. This percentage change shall be determined using the latest data available as of May 10 of the preceding fiscal year compared with the annual average value of the same deflator for the 12-month period ending in the third quarter of the second preceding fiscal year, using the latest data available as of May 10 of the preceding fiscal year, as reported by the Department of Finance.~~

~~(3) (A) The Superintendent shall compute an additional adjustment to the kindergarten and grades 1 to 3, inclusive, base grant as adjusted for inflation pursuant to paragraph (2) equal to 10.4 percent. The additional grant shall be calculated by multiplying the kindergarten and grades 1 to 3, inclusive, base grant, as adjusted by paragraph (2), by 10.4 percent.~~

~~(B) Until paragraph (4) of subdivision (b) of Section 42238.03 is effective, as a condition of the receipt of funds in this paragraph, a school district shall make progress toward maintaining an average class enrollment of not more than 24 pupils for each schoolsite in kindergarten and grades 1 to 3, inclusive, unless a collectively bargained alternative annual average class enrollment for each~~

1 schoolsite in those grades is agreed to by the school district,
2 pursuant to the following calculation:

3 (i) Determine a school district's average class enrollment for
4 each schoolsite for kindergarten and grades 1 to 3, inclusive, in
5 the prior year. For the 2013–14 fiscal year, this amount shall be
6 the average class enrollment for each schoolsite for kindergarten
7 and grades 1 to 3, inclusive, in the 2012–13 fiscal year.

8 (ii) Determine a school district's proportion of total need
9 pursuant to paragraph (2) of subdivision (b) of Section 42238.03.

10 (iii) Determine the percentage of the need calculated in clause
11 (ii) that is met by funding provided to the school district pursuant
12 to paragraph (3) of subdivision (b) of Section 42238.03.

13 (iv) Determine the difference between the amount computed
14 pursuant to clause (i) and an average class enrollment of not more
15 than 24 pupils.

16 (v) Calculate a current year average class enrollment adjustment
17 for each schoolsite for kindergarten and grades 1 to 3, inclusive,
18 equal to the adjustment calculated in clause (iv) multiplied by the
19 percentage determined pursuant to clause (iii).

20 (C) School districts that have an average class enrollment for
21 each schoolsite for kindergarten and grades 1 to 3, inclusive, of
22 24 pupils or less for each schoolsite in the 2012–13 fiscal year,
23 shall be exempt from the requirements of subparagraph (B) so long
24 as the school district continues to maintain an average class
25 enrollment for each schoolsite for kindergarten and grades 1 to 3,
26 inclusive, of not more than 24 pupils, unless a collectively
27 bargained alternative ratio is agreed to by the school district.

28 (D) Upon full implementation of the local control funding
29 formula, as a condition of the receipt of funds in this paragraph,
30 all school districts shall maintain an average class enrollment for
31 each schoolsite for kindergarten and grades 1 to 3, inclusive, of
32 not more than 24 pupils for each schoolsite in kindergarten and
33 grades 1 to 3, inclusive, unless a collectively bargained alternative
34 ratio is agreed to by the school district.

35 (E) The average class enrollment requirement for each schoolsite
36 for kindergarten and grades 1 to 3, inclusive, established pursuant
37 to this paragraph shall not be subject to waiver by the state board
38 pursuant to Section 33050 or by the Superintendent.

39 (F) The Controller shall include the instructions necessary to
40 enforce this paragraph in the audit guide required by Section

~~14502.1. The instructions shall include, but are not necessarily limited to, procedures for determining if the average class enrollment for each schoolsite for kindergarten and grades 1 to 3, inclusive, exceeds 24 pupils, or an alternative average class enrollment for each schoolsite pursuant to a collectively bargained alternative ratio. The procedures for determining average class enrollment for each schoolsite shall include criteria for employing sampling.~~

~~(4) The Superintendent shall compute an additional adjustment to the base grant for grades 9 to 12, inclusive, as adjusted for inflation pursuant to paragraph (2), equal to 2.6 percent. The additional grant shall be calculated by multiplying the base grant for grades 9 to 12, inclusive, as adjusted by paragraph (2), by 2.6 percent.~~

~~(e) (1) The Superintendent shall compute a supplemental grant add-on equal to 20 percent of the base grants as specified in subparagraphs (A) to (D), inclusive, of paragraph (1) of subdivision (d), as adjusted by paragraphs (2) to (4), inclusive, of subdivision (d), for each school district's or charter school's percentage of unduplicated pupils calculated pursuant to paragraph (5) of subdivision (b). The supplemental grant shall be calculated by multiplying the base grants as specified in subparagraphs (A) to (D), inclusive, of paragraph (1), as adjusted by paragraphs (2) to (4), inclusive, of subdivision (d), by 20 percent and by the percentage of unduplicated pupils calculated pursuant to paragraph (5) of subdivision (b) in that school district or charter school. The supplemental grant shall be expended in accordance with the regulations adopted pursuant to Section 42238.07.~~

~~(2) If a pupil has been redesignated as fluent English proficient pursuant to Section 313 before this section is operative and a school district or charter school has not already received, for the first fiscal year after the pupil has been redesignated as fluent English proficient, 50 percent of, and for the second fiscal year after the pupil has been redesignated as fluent English proficient, 25 percent of, the supplemental grant calculated pursuant to paragraph (1), the school district or charter school shall receive the applicable percentage of the supplemental grant calculated pursuant to paragraph (1) for the pupil redesignated as fluent English proficient until it has received the applicable percentage of the supplemental grant for the applicable fiscal year.~~

1 ~~(f) (1) The Superintendent shall compute a concentration grant~~
2 ~~add-on equal to 50 percent of the base grants as specified in~~
3 ~~subparagraphs (A) to (D), inclusive, of paragraph (1) of subdivision~~
4 ~~(d), as adjusted by paragraphs (2) to (4), inclusive, of subdivision~~
5 ~~(d), for each school district's or charter school's percentage of~~
6 ~~unduplicated pupils calculated pursuant to paragraph (5) of~~
7 ~~subdivision (b) in excess of 55 percent of the school district's or~~
8 ~~charter school's total enrollment. The concentration grant shall be~~
9 ~~calculated by multiplying the base grants as specified in~~
10 ~~subparagraphs (A) to (D), inclusive, of paragraph (1) of subdivision~~
11 ~~(d), as adjusted by paragraphs (2) to (4), inclusive, of subdivision~~
12 ~~(d), by 50 percent and by the percentage of unduplicated pupils~~
13 ~~calculated pursuant to paragraph (5) of subdivision (b) in excess~~
14 ~~of 55 percent of the total enrollment in that school district or charter~~
15 ~~school.~~

16 ~~(2) For a charter school physically located in only one school~~
17 ~~district, the percentage of unduplicated pupils calculated pursuant~~
18 ~~to paragraph (5) of subdivision (b) in excess of 55 percent used to~~
19 ~~calculate concentration grants shall not exceed the percentage of~~
20 ~~unduplicated pupils calculated pursuant to paragraph (5) of~~
21 ~~subdivision (b) in excess of 55 percent of the school district in~~
22 ~~which the charter school is physically located. For a charter school~~
23 ~~physically located in more than one school district, the charter~~
24 ~~school's percentage of unduplicated pupils calculated pursuant to~~
25 ~~paragraph (5) of subdivision (b) in excess of 55 percent used to~~
26 ~~calculate concentration grants shall not exceed that of the school~~
27 ~~district with the highest percentage of unduplicated pupils~~
28 ~~calculated pursuant to paragraph (5) of subdivision (b) in excess~~
29 ~~of 55 percent of the school districts in which the charter school~~
30 ~~has a school facility. The concentration grant shall be expended~~
31 ~~in accordance with the regulations adopted pursuant to Section~~
32 ~~42238.07.~~

33 ~~(3) If a pupil has been redesignated as fluent English proficient~~
34 ~~pursuant to Section 313 before this section is operative and a school~~
35 ~~district or charter school has not already received, for the first~~
36 ~~fiscal year after the pupil has been redesignated as fluent English~~
37 ~~proficient, 50 percent of, and for the second fiscal year after the~~
38 ~~pupil has been redesignated as fluent English proficient, 25 percent~~
39 ~~of, the concentration grant calculated pursuant to paragraph (1);~~
40 ~~the school district or charter school shall receive the applicable~~

percentage of the concentration grant calculated pursuant to paragraph (1) for the pupil redesignated as fluent English proficient until it has received the applicable percentage of the concentration grant for the applicable fiscal year.

(g) The Superintendent shall compute an add-on to the total sum of a school district's or charter school's base, supplemental, and concentration grants equal to the amount of funding a school district or charter school received from funds allocated pursuant to the Targeted Instructional Improvement Block Grant program, as set forth in Article 6 (commencing with Section 41540) of Chapter 3.2, for the 2012–13 fiscal year, as that article read on January 1, 2013. A school district or charter school shall not receive a total funding amount from this add-on greater than the total amount of funding received by the school district or charter school from that program in the 2012–13 fiscal year. The amount computed pursuant to this subdivision shall reflect the reduction specified in paragraph (2) of subdivision (a) of Section 42238.03.

(h) The Superintendent shall compute an add-on to the total sum of a school district's or charter school's base, supplemental, and concentration grants equal to the amount of funding a school district or charter school received from funds allocated pursuant to the Home-to-School Transportation program, as set forth in former Article 2 (commencing with Section 39820) of Chapter 1 of Part 23.5, former Article 10 (commencing with Section 41850) of Chapter 5, and the Small School District Transportation program, as set forth in former Article 4.5 (commencing with Section 42290), for the 2012–13 fiscal year. A school district or charter school shall not receive a total funding amount from this add-on greater than the total amount received by the school district or charter school for those programs in the 2012–13 fiscal year. The amount computed pursuant to this subdivision shall reflect the reduction specified in paragraph (2) of subdivision (a) of Section 42238.03.

(i) (1) The sum of the local control funding formula rates computed pursuant to subdivisions (e) to (f), inclusive, shall be multiplied by:

(A) For school districts, the average daily attendance of the school district in the corresponding grade level ranges computed pursuant to Section 42238.05, excluding the average daily attendance computed pursuant to paragraph (2) of subdivision (a)

1 of Section 42238.05 for purposes of the computation specified in
2 subdivision (d):

3 (B) For charter schools, the total current year average daily
4 attendance in the corresponding grade level ranges:

5 (2) The amount computed pursuant to Article 4 (commencing
6 with Section 42280) shall be added to the amount computed
7 pursuant to paragraphs (1) to (4), inclusive, of subdivision (d), as
8 multiplied by subparagraph (A) or (B) of paragraph (1), as
9 appropriate:

10 (j) The Superintendent shall adjust the sum of each school
11 district's or charter school's amount determined in subdivisions
12 (g) to (i), inclusive, pursuant to the calculation specified in Section
13 42238.03, less the sum of the following:

14 (1) (A) For school districts, the property tax revenue received
15 pursuant to Chapter 3.5 (commencing with Section 75) and Chapter
16 6 (commencing with Section 95) of Part 0.5 of Division 1 of the
17 Revenue and Taxation Code:

18 (B) For charter schools, the in-lieu property tax amount provided
19 to a charter school pursuant to Section 47635:

20 (2) The amount, if any, received pursuant to Part 18.5
21 (commencing with Section 38101) of Division 2 of the Revenue
22 and Taxation Code:

23 (3) The amount, if any, received pursuant to Chapter 3
24 (commencing with Section 16140) of Part 1 of Division 4 of Title
25 2 of the Government Code:

26 (4) Prior years' taxes and taxes on the unsecured roll:

27 (5) Fifty percent of the amount received pursuant to Section
28 41603:

29 (6) The amount, if any, received pursuant to the Community
30 Redevelopment Law (Part 1 (commencing with Section 33000)
31 of Division 24 of the Health and Safety Code), less any amount
32 received pursuant to Section 33401 or 33676 of the Health and
33 Safety Code that is used for land acquisition, facility construction,
34 reconstruction, or remodeling, or deferred maintenance and that
35 is not an amount received pursuant to Section 33492.15, or
36 paragraph (4) of subdivision (a) of Section 33607.5, or Section
37 33607.7 of the Health and Safety Code that is allocated exclusively
38 for educational facilities:

~~(7) The amount, if any, received pursuant to Sections 34177, 34179.5, 34179.6, 34183, and 34188 of the Health and Safety Code.~~

~~(8) Revenue received pursuant to subparagraph (B) of paragraph (3) of subdivision (e) of Section 36 of Article XIII of the California Constitution.~~

~~(k) A school district shall annually transfer to each of its charter schools funding in lieu of property taxes pursuant to Section 47635.~~

~~(l) (1) Nothing in this section shall be interpreted to authorize a school district that receives funding on behalf of a charter school pursuant to Section 47651 to redirect this funding for another purpose unless otherwise authorized in law pursuant to paragraph (2) or pursuant to an agreement between the charter school and its chartering authority.~~

~~(2) A school district that received funding on behalf of a locally funded charter school in the 2012–13 fiscal year pursuant to paragraph (2) of subdivision (b) of Section 42605, Section 42606, and subdivision (b) of Section 47634.1, as those sections read on January 1, 2013, or a school district that was required to pass through funding to a conversion charter school in the 2012–13 fiscal year pursuant to paragraph (2) of subdivision (b) of Section 42606, as that section read on January 1, 2013, may annually redirect for another purpose a percentage of the amount of the funding received on behalf of that charter school. The percentage of funding that may be redirected shall be determined pursuant to the following computation:~~

~~(A) (i) Determine the sum of the need fulfilled for that charter school pursuant to paragraph (3) of subdivision (b) of Section 42238.03 in the then current fiscal year for the charter school.~~

~~(ii) Determine the sum of the need fulfilled in every fiscal year before the then current fiscal year pursuant to paragraph (3) of subdivision (b) of Section 42238.03 adjusted for changes in average daily attendance pursuant to paragraph (3) of subdivision (a) of Section 42238.03 for the charter school.~~

~~(iii) Subtract the amount computed pursuant to paragraphs (1) to (3), inclusive, of subdivision (a) of Section 42238.03 from the amount computed for that charter school under the local control funding formula entitlement computed pursuant to subdivision (i).~~

1 (iv) Compute a percentage by dividing the sum of the amounts
2 computed pursuant to clauses (i) and (ii) by the amount computed
3 pursuant to clause (iii).

4 (B) Multiply the percentage computed pursuant to subparagraph
5 (A) by the amount of funding the school district received on behalf
6 of the charter school in the 2012–13 fiscal year pursuant to
7 paragraph (2) of subdivision (b) of Section 42605, Section 42606,
8 and subdivision (b) of Section 47634.1, as those sections read on
9 January 1, 2013.

10 (C) The maximum amount that may be redirected shall be the
11 lesser of the amount of funding the school district received on
12 behalf of the charter school in the 2012–13 fiscal year pursuant to
13 paragraph (2) of subdivision (b) of Section 42605, Section 42606,
14 and subdivision (b) of Section 47634.1, as those sections read on
15 January 1, 2013, or the amount computed pursuant to subparagraph
16 (B).

17 (3) Commencing with the 2013–14 fiscal year, a school district
18 operating one or more affiliated charter schools shall provide each
19 affiliated charter school schoolsite with no less than the amount
20 of funding the schoolsite received pursuant to the charter school
21 block grant in the 2012–13 fiscal year.

22 (m) Any calculations in law that are used for purposes of
23 determining if a local educational agency is an excess tax school
24 entity or basic aid school district, including, but not limited to, this
25 section and Sections 42238.03, 41544, 47632, 47660, 47663,
26 48310, and 48359.5, and Section 95 of the Revenue and Taxation
27 Code, shall be made exclusive of the revenue received pursuant
28 to subparagraph (B) of paragraph (3) of subdivision (e) of Section
29 36 of Article XIII of the California Constitution.

30 (n) The funds apportioned pursuant to this section and Section
31 42238.03 shall be available to implement the activities required
32 pursuant to Article 4.5 (commencing with Section 52060) of
33 Chapter 6.1 of Part 28 of Division 4.

34 (o) A school district that does not receive an apportionment of
35 state funds pursuant to this section, as implemented pursuant to
36 Section 42238.03, excluding funds apportioned pursuant to the
37 requirements of subdivision (e) of Section 42238.03 shall be
38 considered a “basic aid school district” or an “excess tax entity.”

~~(p) This section shall become operative upon the adoption of statewide pupil redesignation standards after January 1, 2015, by statute or regulation, or on July 1, 2018, whichever occurs first.~~

SECTION 1. Section 2574 of the Education Code is amended to read:

2574. For the 2013–14 fiscal year and for each fiscal year thereafter, the Superintendent annually shall calculate a county local control funding formula for each county superintendent of schools as follows:

(a) Compute a county office of education operations grant equal to the sum of each of the following amounts:

(1) Six hundred fifty-five thousand nine hundred twenty dollars (\$655,920).

(2) One hundred nine thousand three hundred twenty dollars (\$109,320) multiplied by the number of school districts for which the county superintendent of schools has jurisdiction pursuant to Section 1253.

(3) (A) Seventy dollars (\$70) multiplied by the number of units of countywide average daily attendance, up to a maximum of 30,000 units.

(B) Sixty dollars (\$60) multiplied by the number of units of countywide average daily attendance for the portion of countywide average daily attendance, if any, above 30,000 units, up to a maximum of 60,000 units.

(C) Fifty dollars (\$50) multiplied by the number of units of countywide average daily attendance for the portion of countywide average daily attendance, if any, above 60,000, up to a maximum of 140,000 units.

(D) Forty dollars (\$40) multiplied by the number of units of countywide average daily attendance for the portion of countywide average daily attendance, if any, above 140,000 units.

(E) For purposes of this section, countywide average daily attendance means the aggregate number of annual units of average daily attendance within the county attributable to all school districts for which the county superintendent of schools has jurisdiction pursuant to Section 1253, charter schools authorized by school districts for which the county superintendent of schools has jurisdiction, and charter schools authorized by the county superintendent of schools.

(4) For the 2014–15 fiscal year and each fiscal year thereafter, adjust each of the rates provided in the prior year pursuant to paragraphs (1), (2), and (3) by the percentage change in the annual average value of the Implicit Price Deflator for State and Local Government Purchases of Goods and Services for the United States, as published by the United States Department of Commerce for the 12-month period ending in the third quarter of the prior fiscal year. This percentage change shall be determined using the latest data available as of May 10 of the preceding fiscal year compared with the annual average value of the same deflator for the 12-month period ending in the third quarter of the second preceding fiscal year, using the latest data available as of May 10 of the preceding fiscal year, as reported by the Department of Finance.

(b) Determine the enrollment percentage of unduplicated pupils pursuant to the following:

(1) (A) For the 2013–14 fiscal year, divide the enrollment of unduplicated pupils in all schools operated by a county superintendent of schools in the 2013–14 fiscal year by the total enrollment in those schools in the 2013–14 fiscal year.

(B) For the 2014–15 fiscal year, divide the sum of the enrollment of unduplicated pupils in all schools operated by a county superintendent of schools in the 2013–14 and 2014–15 fiscal years by the sum of the total enrollment in those schools in the 2013–14 and 2014–15 fiscal years.

(C) For the 2015–16 fiscal year and each fiscal year thereafter, divide the sum of the enrollment of unduplicated pupils in all schools operated by a county superintendent of schools in the current fiscal year and the two prior fiscal years by the sum of the total enrollment in those schools in the current fiscal year and the two prior fiscal years.

(D) (i) For purposes of the quotients determined pursuant to subparagraphs (B) and (C), the Superintendent shall use a county superintendent of schools' enrollment of unduplicated pupils and total pupil enrollment in the 2014–15 fiscal year instead of the enrollment of unduplicated pupils and total pupil enrollment in the 2013–14 fiscal year if doing so would yield an overall greater percentage of unduplicated pupils.

(ii) It is the intent of the Legislature to review each county office of education's enrollment of unduplicated pupils for the 2013–14 and 2014–15 fiscal years and provide one-time funding, if

1 necessary, for a county office of education with higher enrollment
2 of unduplicated pupils in the 2014–15 fiscal year as compared to
3 the 2013–14 fiscal year.

4 (E) For purposes of determining the enrollment percentage of
5 unduplicated pupils pursuant to this subdivision, enrollment in
6 schools or classes established pursuant to Article 2.5 (commencing
7 with Section 48645) of Chapter 4 of Part 27 of Division 4 of Title
8 2 and the enrollment of pupils other than the pupils identified in
9 clauses (i) to (iii), inclusive, of subparagraph (A) of paragraph (4)
10 of subdivision (c), shall be excluded from the calculation of the
11 enrollment percentage of unduplicated pupils.

12 (F) The data used to determine the percentage of unduplicated
13 pupils shall be final once that data is no longer used in the current
14 fiscal year calculation of the percentage of unduplicated pupils.
15 This subparagraph does not apply to a change that is the result of
16 an audit that has been appealed pursuant to Section 41344.

17 (2) For purposes of this section, an “unduplicated pupil” is a
18 pupil who is classified as an English learner, eligible for a free or
19 reduced-price meal, ~~or a foster youth~~ *a foster youth, or*
20 *redesignated as fluent English proficient pursuant to Section 313.*
21 For purposes of this section, the definitions in Section 42238.01
22 of an English learner, a pupil eligible for a free or reduced-price
23 meal, and foster youth shall apply. A pupil shall be counted only
24 once for purposes of this section if any of the following apply:

25 (A) The pupil is classified as an English learner and is eligible
26 for a free or reduced-price meal.

27 (B) The pupil is classified as an English learner and is a foster
28 youth.

29 (C) The pupil is eligible for a free or reduced-price meal and is
30 classified as a foster youth.

31 (D) The pupil is classified as an English learner, is eligible for
32 a free or reduced-price meal, and is a foster youth.

33 *(E) The pupil is redesignated as fluent English proficient*
34 *pursuant to Section 313 and meets the requirements of*
35 *subparagraph (B) of paragraph (2) of, and subparagraph (C) of*
36 *paragraph (3) of, subdivision (c), and is eligible for a free or*
37 *reduced-price meal, or is a foster youth, or both.*

38 (3) (A) Under procedures and timeframes established by the
39 Superintendent, commencing with the 2013–14 fiscal year, a county
40 superintendent of schools annually shall report the enrollment of

1 unduplicated pupils, pupils classified as English learners, pupils
2 eligible for free and reduced-price meals, ~~and foster youth~~ *foster*
3 *youth, and pupils redesignated as fluent English proficient* in
4 schools operated by the county superintendent of schools to the
5 Superintendent using the California Longitudinal Pupil
6 Achievement Data System.

7 (B) The Superintendent shall make the calculations pursuant to
8 this section using the data submitted through the California
9 Longitudinal Pupil Achievement Data System.

10 (C) The Controller shall include instructions, as appropriate, in
11 the audit guide required by subdivision (a) of Section 14502.1, for
12 determining if the data reported by a county superintendent of
13 schools using the California Longitudinal Pupil Achievement Data
14 System is consistent with pupil data records maintained by the
15 county office of education.

16 (c) Compute an alternative education grant equal to the sum of
17 the following:

18 (1) (A) For the 2013–14 fiscal year, a base grant equal to the
19 2012–13 per pupil undeficitated statewide average juvenile court
20 school base revenue limit calculated pursuant to Article 3
21 (commencing with Section 2550) of Chapter 12, as that article
22 read on January 1, 2013. For purposes of this subparagraph, the
23 2012–13 statewide average juvenile court school base revenue
24 limit shall be considered final as of the annual apportionment for
25 the 2012–13 fiscal year, as calculated for purposes of the
26 certification required on or before February 20, 2014, pursuant to
27 Sections 41332 and 41339.

28 (B) Commencing with the 2013–14 fiscal year, the per pupil
29 base grant shall be adjusted by the percentage change in the annual
30 average value of the Implicit Price Deflator for State and Local
31 Government Purchases of Goods and Services for the United States,
32 as published by the United States Department of Commerce for
33 the 12-month period ending in the third quarter of the prior fiscal
34 year. This percentage change shall be determined using the latest
35 data available as of May 10 of the preceding fiscal year compared
36 with the annual average value of the same deflator for the 12-month
37 period ending in the third quarter of the second preceding fiscal
38 year, using the latest data available as of May 10 of the preceding
39 fiscal year, as reported by the Department of Finance.

(2) (A) A supplemental grant equal to 35 percent of the base grant described in paragraph (1) multiplied by the enrollment percentage calculated in subdivision (b). The supplemental grant shall be expended in accordance with the regulations adopted pursuant to Section 42238.07.

(B) (i) *A county superintendent of schools shall receive 50 percent of the supplemental grant calculated pursuant to subparagraph (A) for a pupil redesignated as fluent English proficient pursuant to Section 313 for the first fiscal year after the pupil has been redesignated as fluent English proficient.*

(ii) *A county superintendent of schools shall receive 25 percent of the supplemental grant calculated pursuant to subparagraph (A) for a pupil redesignated as fluent English proficient pursuant to Section 313 for the second fiscal year after the pupil has been redesignated as fluent English proficient.*

(3) (A) A concentration grant equal to 35 percent of the base grant described in paragraph (1) multiplied by the greater of either of the following:

(i) The enrollment percentage calculated in subdivision (b) less 50 percent.

(ii) Zero.

(B) The concentration grant shall be expended in accordance with the regulations adopted pursuant to Section 42238.07.

(C) (i) *A county superintendent of schools shall receive 50 percent of the concentration grant calculated pursuant to subparagraph (A) for a pupil redesignated as fluent English proficient pursuant to Section 313 for the first fiscal year after the pupil has been redesignated as fluent English proficient.*

(ii) *A county superintendent of schools shall receive 25 percent of the concentration grant calculated pursuant to subparagraph (A) for a pupil redesignated as fluent English proficient pursuant to Section 313 for the second fiscal year after the pupil has been redesignated as fluent English proficient.*

(4) (A) Multiply the sum of paragraphs (1), (2), and (3) by the total number of units of average daily attendance for pupils attending schools operated by a county ~~office of education,~~ *superintendent of schools*, excluding units of average daily attendance for pupils attending schools or classes established pursuant to Article 2.5 (commencing with Section 48645) of

Chapter 4 of Part 27 of Division 4 of Title 2, who are enrolled pursuant to any of the following:

(i) Probation-referred pursuant to Sections 300, 601, 602, and 654 of the Welfare and Institutions Code.

(ii) On probation or parole and not in attendance in a school.

(iii) Expelled for any of the reasons specified in subdivision (a) or (c) of Section 48915.

(B) Multiply the number of units of average daily attendance for pupils attending schools or classes established pursuant to Article 2.5 (commencing with Section 48645) of Chapter 4 of Part 27 of Division 4 of Title 2 by the sum of the base grant calculated pursuant to paragraph (1), a supplemental grant equal to 35 percent of the base grant calculated pursuant to paragraph (1), and a concentration grant equal to 17.5 percent of the base grant calculated pursuant to paragraph (1). Funds provided for the supplemental and concentration grants pursuant to this calculation shall be expended in accordance with the regulations adopted pursuant to Section 42238.07.

(C) Add the amounts calculated in subparagraphs (A) and (B).

(d) Add the amount calculated in subdivision (a) to the amount calculated in subparagraph (C) of paragraph (4) of subdivision (c).

(e) Add all of the following to the amount calculated in subdivision (d):

(1) The amount of funding a county superintendent of schools received for the 2012–13 fiscal year from funds allocated pursuant to the Targeted Instructional Improvement Block Grant program, as set forth in Article 6 (commencing with Section 41540) of Chapter 3.2 of Part 24 of Division 3 of Title 2, as that article read on January 1, 2013.

(2) (A) The amount of funding a county superintendent of schools received for the 2012–13 fiscal year from funds allocated pursuant to the Home-to-School Transportation program, as set forth in Article 2 (commencing with Section 39820) of Chapter 1 of Part 23.5 of Division 3 of Title 2, Article 10 (commencing with Section 41850) of Chapter 5 of Part 24 of Division 3 of Title 2, and the Small School District Transportation program, as set forth in Article 4.5 (commencing with Section 42290) of Chapter 7 of Part 24 of Division 3 of Title 2, as those articles read on January 1, 2013.

(B) On or before March 1, 2014, the Legislative Analyst's Office shall submit recommendations to the fiscal committees of both houses of the Legislature regarding revisions to the methods of funding pupil transportation that address historical funding inequities across county offices of education and school districts and improve incentives for local educational agencies to provide efficient and effective pupil transportation services.

(3) The difference determined by subtracting the amount calculated pursuant to paragraph (1) of subdivision (c) for pupils attending a school that is eligible for funding pursuant to paragraph (2) of subdivision (b) of Section 42285 from the amount of funding that is provided to eligible schools pursuant to Section 42284, if the difference is positive.

(f) This section shall become inoperative upon the adoption of statewide pupil redesignation standards after January 1, 2015, by statute or regulation, or on July 1, 2018, whichever occurs first, and, as of January 1, 2019, is repealed, unless a later enacted statute, that becomes operative on or before January 1, 2019, deletes or extends the conditions on which it becomes inoperative and is repealed.

SEC. 2. Section 2574 is added to the Education Code, to read:
2574. For the 2013–14 fiscal year and for each fiscal year thereafter, the Superintendent annually shall calculate a county local control funding formula for each county superintendent of schools as follows:

(a) Compute a county office of education operations grant equal to the sum of each of the following amounts:

(1) Six hundred fifty-five thousand nine hundred twenty dollars (\$655,920).

(2) One hundred nine thousand three hundred twenty dollars (\$109,320) multiplied by the number of school districts for which the county superintendent of schools has jurisdiction pursuant to Section 1253.

(3) (A) Seventy dollars (\$70) multiplied by the number of units of countywide average daily attendance, up to a maximum of 30,000 units.

(B) Sixty dollars (\$60) multiplied by the number of units of countywide average daily attendance for the portion of countywide average daily attendance, if any, above 30,000 units, up to a maximum of 60,000 units.

1 (C) Fifty dollars (\$50) multiplied by the number of units of
2 countywide average daily attendance for the portion of countywide
3 average daily attendance, if any, above 60,000, up to a maximum
4 of 140,000 units.

5 (D) Forty dollars (\$40) multiplied by the number of units of
6 countywide average daily attendance for the portion of countywide
7 average daily attendance, if any, above 140,000 units.

8 (E) For purposes of this section, countywide average daily
9 attendance means the aggregate number of annual units of average
10 daily attendance within the county attributable to all school
11 districts for which the county superintendent of schools has
12 jurisdiction pursuant to Section 1253, charter schools authorized
13 by school districts for which the county superintendent of schools
14 has jurisdiction, and charter schools authorized by the county
15 superintendent of schools.

16 (4) For the 2014–15 fiscal year and each fiscal year thereafter,
17 adjust each of the rates provided in the prior year pursuant to
18 paragraphs (1), (2), and (3) by the percentage change in the annual
19 average value of the Implicit Price Deflator for State and Local
20 Government Purchases of Goods and Services for the United
21 States, as published by the United States Department of Commerce
22 for the 12-month period ending in the third quarter of the prior
23 fiscal year. This percentage change shall be determined using the
24 latest data available as of May 10 of the preceding fiscal year
25 compared with the annual average value of the same deflator for
26 the 12-month period ending in the third quarter of the second
27 preceding fiscal year, using the latest data available as of May 10
28 of the preceding fiscal year, as reported by the Department of
29 Finance.

30 (b) Determine the enrollment percentage of unduplicated pupils
31 pursuant to the following:

32 (1) (A) For the 2013–14 fiscal year, divide the enrollment of
33 unduplicated pupils in all schools operated by a county
34 superintendent of schools in the 2013–14 fiscal year by the total
35 enrollment in those schools in the 2013–14 fiscal year.

36 (B) For the 2014–15 fiscal year, divide the sum of the enrollment
37 of unduplicated pupils in all schools operated by a county
38 superintendent of schools in the 2013–14 and 2014–15 fiscal years
39 by the sum of the total enrollment in those schools in the 2013–14
40 and 2014–15 fiscal years.

1 (C) For the 2015–16 fiscal year and each fiscal year thereafter,
2 divide the sum of the enrollment of unduplicated pupils in all
3 schools operated by a county superintendent of schools in the
4 current fiscal year and the two prior fiscal years by the sum of the
5 total enrollment in those schools in the current fiscal year and the
6 two prior fiscal years.

7 (D) (i) For purposes of the quotients determined pursuant to
8 subparagraphs (B) and (C), the Superintendent shall use a county
9 superintendent of schools' enrollment of unduplicated pupils and
10 total pupil enrollment in the 2014–15 fiscal year instead of the
11 enrollment of unduplicated pupils and total pupil enrollment in
12 the 2013–14 fiscal year if doing so would yield an overall greater
13 percentage of unduplicated pupils.

14 (ii) It is the intent of the Legislature to review each county office
15 of education's enrollment of unduplicated pupils for the 2013–14
16 and 2014–15 fiscal years and provide one-time funding, if
17 necessary, for a county office of education with higher enrollment
18 of unduplicated pupils in the 2014–15 fiscal year as compared to
19 the 2013–14 fiscal year.

20 (E) For purposes of determining the enrollment percentage of
21 unduplicated pupils pursuant to this subdivision, enrollment in
22 schools or classes established pursuant to Article 2.5 (commencing
23 with Section 48645) of Chapter 4 of Part 27 of Division 4 of Title
24 2 and the enrollment of pupils other than the pupils identified in
25 clauses (i) to (iii), inclusive, of subparagraph (A) of paragraph
26 (4) of subdivision (c), shall be excluded from the calculation of
27 the enrollment percentage of unduplicated pupils.

28 (F) The data used to determine the percentage of unduplicated
29 pupils shall be final once that data is no longer used in the current
30 fiscal year calculation of the percentage of unduplicated pupils.
31 This subparagraph does not apply to a change that is the result
32 of an audit that has been appealed pursuant to Section 41344.

33 (2) For purposes of this section, an “unduplicated pupil” is a
34 pupil who is classified as an English learner, eligible for a free or
35 reduced-price meal, or a foster youth. For purposes of this section,
36 the definitions in Section 42238.01 of an English learner, a pupil
37 eligible for a free or reduced-price meal, and foster youth shall
38 apply. A pupil shall be counted only once for purposes of this
39 section if any of the following apply:

1 (A) *The pupil is classified as an English learner and is eligible*
2 *for a free or reduced-price meal.*

3 (B) *The pupil is classified as an English learner and is a foster*
4 *youth.*

5 (C) *The pupil is eligible for a free or reduced-price meal and*
6 *is classified as a foster youth.*

7 (D) *The pupil is classified as an English learner, is eligible for*
8 *a free or reduced-price meal, and is a foster youth.*

9 (3) (A) *Under procedures and timeframes established by the*
10 *Superintendent, commencing with the 2013–14 fiscal year, a county*
11 *superintendent of schools annually shall report the enrollment of*
12 *unduplicated pupils, pupils classified as English learners, pupils*
13 *eligible for free and reduced-price meals, and foster youth in*
14 *schools operated by the county superintendent of schools to the*
15 *Superintendent using the California Longitudinal Pupil*
16 *Achievement Data System.*

17 (B) *The Superintendent shall make the calculations pursuant*
18 *to this section using the data submitted through the California*
19 *Longitudinal Pupil Achievement Data System.*

20 (C) *The Controller shall include instructions, as appropriate,*
21 *in the audit guide required by subdivision (a) of Section 14502.1,*
22 *for determining if the data reported by a county superintendent of*
23 *schools using the California Longitudinal Pupil Achievement Data*
24 *System is consistent with pupil data records maintained by the*
25 *county office of education.*

26 (c) *Compute an alternative education grant equal to the sum of*
27 *the following:*

28 (1) (A) *For the 2013–14 fiscal year, a base grant equal to the*
29 *2012–13 per pupil undeficitated statewide average juvenile court*
30 *school base revenue limit calculated pursuant to Article 3*
31 *(commencing with Section 2550) of Chapter 12, as that article*
32 *read on January 1, 2013. For purposes of this subparagraph, the*
33 *2012–13 statewide average juvenile court school base revenue*
34 *limit shall be considered final as of the annual apportionment for*
35 *the 2012–13 fiscal year, as calculated for purposes of the*
36 *certification required on or before February 20, 2014, pursuant*
37 *to Sections 41332 and 41339.*

38 (B) *Commencing with the 2013–14 fiscal year, the per pupil*
39 *base grant shall be adjusted by the percentage change in the*
40 *annual average value of the Implicit Price Deflator for State and*

1 *Local Government Purchases of Goods and Services for the United*
2 *States, as published by the United States Department of Commerce*
3 *for the 12-month period ending in the third quarter of the prior*
4 *fiscal year. This percentage change shall be determined using the*
5 *latest data available as of May 10 of the preceding fiscal year*
6 *compared with the annual average value of the same deflator for*
7 *the 12-month period ending in the third quarter of the second*
8 *preceding fiscal year, using the latest data available as of May 10*
9 *of the preceding fiscal year, as reported by the Department of*
10 *Finance.*

11 (2) (A) A supplemental grant equal to 35 percent of the base
12 grant described in paragraph (1) multiplied by the enrollment
13 percentage calculated in subdivision (b). The supplemental grant
14 shall be expended in accordance with the regulations adopted
15 pursuant to Section 42238.07.

16 (B) If a pupil has been redesignated as fluent English proficient
17 pursuant to Section 313 before this section is operative and a
18 county superintendent of schools has not already received, for the
19 first fiscal year after the pupil has been redesignated as fluent
20 English proficient, 50 percent of, and for the second fiscal year
21 after the pupil has been redesignated as fluent English proficient,
22 25 percent of, the supplemental grant calculated pursuant to
23 subparagraph (A), the county superintendent of schools shall
24 receive the applicable percentage of the supplemental grant
25 calculated pursuant to subparagraph (A) for the pupil redesignated
26 as fluent English proficient until he or she has received the
27 applicable percentage of the supplemental grant for the applicable
28 fiscal year.

29 (3) (A) A concentration grant equal to 35 percent of the base
30 grant described in paragraph (1) multiplied by the greater of either
31 of the following:

32 (i) The enrollment percentage calculated in subdivision (b) less
33 50 percent.

34 (ii) Zero.

35 (B) The concentration grant shall be expended in accordance
36 with the regulations adopted pursuant to Section 42238.07.

37 (C) If a pupil has been redesignated as fluent English proficient
38 pursuant to Section 313 before this section is operative and a
39 county superintendent of schools has not already received, for the
40 first fiscal year after the pupil has been redesignated as fluent

English proficient, 50 percent of, and for the second fiscal year after the pupil has been redesignated as fluent English proficient, 25 percent of, the concentration grant calculated pursuant to subparagraph (A), the county superintendent of schools shall receive the applicable percentage of the concentration grant calculated pursuant to subparagraph (A) for the pupil redesignated as fluent English proficient until he or she has received the applicable percentage of the concentration grant for the applicable fiscal year.

(4) (A) Multiply the sum of paragraphs (1), (2), and (3) by the total number of units of average daily attendance for pupils attending schools operated by a county superintendent of schools, excluding units of average daily attendance for pupils attending schools or classes established pursuant to Article 2.5 (commencing with Section 48645) of Chapter 4 of Part 27 of Division 4 of Title 2, who are enrolled pursuant to any of the following:

(i) Probation-referred pursuant to Sections 300, 601, 602, and 654 of the Welfare and Institutions Code.

(ii) On probation or parole and not in attendance in a school.

(iii) Expelled for any of the reasons specified in subdivision (a) or (c) of Section 48915.

(B) Multiply the number of units of average daily attendance for pupils attending schools or classes established pursuant to Article 2.5 (commencing with Section 48645) of Chapter 4 of Part 27 of Division 4 of Title 2 by the sum of the base grant calculated pursuant to paragraph (1), a supplemental grant equal to 35 percent of the base grant calculated pursuant to paragraph (1), and a concentration grant equal to 17.5 percent of the base grant calculated pursuant to paragraph (1). Funds provided for the supplemental and concentration grants pursuant to this calculation shall be expended in accordance with the regulations adopted pursuant to Section 42238.07.

(C) Add the amounts calculated in subparagraphs (A) and (B).

(d) Add the amount calculated in subdivision (a) to the amount calculated in subparagraph (C) of paragraph (4) of subdivision (c).

(e) Add all of the following to the amount calculated in subdivision (d):

(1) The amount of funding a county superintendent of schools received for the 2012–13 fiscal year from funds allocated pursuant

1 to the Targeted Instructional Improvement Block Grant program,
2 as set forth in Article 6 (commencing with Section 41540) of
3 Chapter 3.2 of Part 24 of Division 3 of Title 2, as that article read
4 on January 1, 2013.

5 (2) (A) The amount of funding a county superintendent of
6 schools received for the 2012–13 fiscal year from funds allocated
7 pursuant to the Home-to-School Transportation program, as set
8 forth in Article 2 (commencing with Section 39820) of Chapter 1
9 of Part 23.5 of Division 3 of Title 2, Article 10 (commencing with
10 Section 41850) of Chapter 5 of Part 24 of Division 3 of Title 2,
11 and the Small School District Transportation program, as set forth
12 in Article 4.5 (commencing with Section 42290) of Chapter 7 of
13 Part 24 of Division 3 of Title 2, as those articles read on January
14 1, 2013.

15 (B) On or before March 1, 2014, the Legislative Analyst's Office
16 shall submit recommendations to the fiscal committees of both
17 houses of the Legislature regarding revisions to the methods of
18 funding pupil transportation that address historical funding
19 inequities across county offices of education and school districts
20 and improve incentives for local educational agencies to provide
21 efficient and effective pupil transportation services.

22 (3) The difference determined by subtracting the amount
23 calculated pursuant to paragraph (1) of subdivision (c) for pupils
24 attending a school that is eligible for funding pursuant to
25 paragraph (2) of subdivision (b) of Section 42285 from the amount
26 of funding that is provided to eligible schools pursuant to Section
27 42284, if the difference is positive.

28 (f) This section shall become operative upon the adoption of
29 statewide pupil redesignation standards after January 1, 2015, by
30 statute or regulation, or on July 1, 2018, whichever occurs first.

31 SEC. 3. Section 42238.02 of the Education Code is amended
32 to read:

33 42238.02. (a) The amount computed pursuant to this section
34 shall be known as the school district and charter school local
35 control funding formula.

36 (b) (1) For purposes of this section "unduplicated pupil" means
37 a pupil enrolled in a school district or a charter school who is ~~either~~
38 classified as an English learner, eligible for a free or reduced-price
39 meal, ~~or is a foster youth.~~ a foster youth, or redesignated as fluent

English proficient pursuant to Section 313. A pupil shall be counted only once for purposes of this section if any of the following apply:

(A) The pupil is classified as an English learner and is eligible for a free or reduced-price meal.

(B) The pupil is classified as an English learner and is a foster youth.

(C) The pupil is eligible for a free or reduced-price meal and is classified as a foster youth.

(D) The pupil is classified as an English learner, is eligible for a free or reduced-price meal, and is a foster youth.

(E) The pupil is redesignated as fluent English proficient pursuant to Section 313 and meets the requirements of paragraph (2) of subdivision (e) and paragraph (3) of subdivision (f), and is eligible for a free or reduced-price meal, or is a foster youth, or both.

(2) Under procedures and timeframes established by the Superintendent, commencing with the 2013–14 fiscal year, a school district or charter school shall annually submit its enrolled free and reduced-price meal eligibility, foster youth, and ~~English learner~~ *English learner, and redesignated as fluent English proficient* pupil-level records for enrolled pupils to the Superintendent using the California Longitudinal Pupil Achievement Data System.

(3) (A) Commencing with the 2013–14 fiscal year, a county office of education shall review and validate certified aggregate English learner, foster youth, ~~and free or reduced-price meal eligible~~ *eligible, and redesignated as fluent English proficient* pupil data for school districts and charter schools under its jurisdiction to ensure the data is reported accurately. The Superintendent shall provide each county office of education with appropriate access to school district and charter school data reports in the California Longitudinal Pupil Achievement Data System for purposes of ensuring data reporting accuracy.

(B) The Controller shall include the instructions necessary to enforce paragraph (2) in the audit guide required by Section 14502.1. The instructions shall include, but are not necessarily limited to, procedures for determining if the English learner, foster youth, ~~and free or reduced-price meal eligible~~ *eligible, and redesignated as fluent English proficient* pupil counts are consistent with the school district’s or charter school’s English learner, foster

1 youth,~~and~~ free or reduced-price meal~~—eligible~~ *eligible, and*
2 *redesignated as fluent English proficient* pupil records.

3 (4) The Superintendent shall make the calculations pursuant to
4 this section using the data submitted by local educational agencies,
5 including charter schools, through the California Longitudinal
6 Pupil Achievement Data System. Under timeframes and procedures
7 established by the Superintendent, school districts and charter
8 schools may review and revise their submitted data on English
9 learner, foster youth,~~and~~ free or reduced-price meal~~—eligible~~
10 *eligible, and redesignated as fluent English proficient* pupil counts
11 to ensure the accuracy of data reflected in the California
12 Longitudinal Pupil Achievement Data System.

13 (5) The Superintendent shall annually compute the percentage
14 of unduplicated pupils for each school district and charter school
15 by dividing the enrollment of unduplicated pupils in a school
16 district or charter school by the total enrollment in that school
17 district or charter school pursuant to all of the following:

18 (A) For the 2013–14 fiscal year, divide the sum of unduplicated
19 pupils for the 2013–14 fiscal year by the sum of the total pupil
20 enrollment for the 2013–14 fiscal year.

21 (B) For the 2014–15 fiscal year, divide the sum of unduplicated
22 pupils for the 2013–14 and 2014–15 fiscal years by the sum of the
23 total pupil enrollment for the 2013–14 and 2014–15 fiscal years.

24 (C) For the 2015–16 fiscal year and each fiscal year thereafter,
25 divide the sum of unduplicated pupils for the current fiscal year
26 and the two prior fiscal years by the sum of the total pupil
27 enrollment for the current fiscal year and the two prior fiscal years.

28 (D) (i) For purposes of the quotients determined pursuant to
29 subparagraphs (B) and (C), the Superintendent shall use a school
30 district's or charter school's enrollment of unduplicated pupils and
31 total pupil enrollment in the 2014–15 fiscal year instead of the
32 enrollment of unduplicated pupils and total pupil enrollment in
33 the 2013–14 fiscal year if doing so would yield an overall greater
34 percentage of unduplicated pupils.

35 (ii) It is the intent of the Legislature to review each school
36 district and charter school's enrollment of unduplicated pupils for
37 the 2013–14 and 2014–15 fiscal years and provide one-time
38 funding, if necessary, for a school district or charter school with
39 higher enrollment of unduplicated pupils in the 2014–15 fiscal
40 year as compared to the 2013–14 fiscal year.

1 (6) The data used to determine the percentage of unduplicated
2 pupils shall be final once that data is no longer used in the current
3 fiscal year calculation of the percentage of unduplicated pupils.
4 This paragraph does not apply to a change that is the result of an
5 audit that has been appealed pursuant to Section 41344.

6 (c) Commencing with the 2013–14 fiscal year and each fiscal
7 year thereafter, the Superintendent shall annually calculate a local
8 control funding formula grant for each school district and charter
9 school in the state pursuant to this section.

10 (d) The Superintendent shall compute a grade span adjusted
11 base grant equal to the total of the following amounts:

12 (1) For the 2013–14 fiscal year, a base grant of:

13 (A) Six thousand eight hundred forty-five dollars (\$6,845) for
14 average daily attendance in kindergarten and grades 1 to 3,
15 inclusive.

16 (B) Six thousand nine hundred forty-seven dollars (\$6,947) for
17 average daily attendance in grades 4 to 6, inclusive.

18 (C) Seven thousand one hundred fifty-four dollars (\$7,154) for
19 average daily attendance in grades 7 and 8.

20 (D) Eight thousand two hundred eighty-nine dollars (\$8,289)
21 for average daily attendance in grades 9 to 12, inclusive.

22 (2) In each year the grade span adjusted base grants in paragraph
23 (1) shall be adjusted by the percentage change in the annual average
24 value of the Implicit Price Deflator for State and Local Government
25 Purchases of Goods and Services for the United States, as published
26 by the United States Department of Commerce for the 12-month
27 period ending in the third quarter of the prior fiscal year. This
28 percentage change shall be determined using the latest data
29 available as of May 10 of the preceding fiscal year compared with
30 the annual average value of the same deflator for the 12-month
31 period ending in the third quarter of the second preceding fiscal
32 year, using the latest data available as of May 10 of the preceding
33 fiscal year, as reported by the Department of Finance.

34 (3) (A) The Superintendent shall compute an additional
35 adjustment to the kindergarten and grades 1 to 3, inclusive, base
36 grant as adjusted for inflation pursuant to paragraph (2) equal to
37 10.4 percent. The additional grant shall be calculated by
38 multiplying the kindergarten and grades 1 to 3, inclusive, base
39 grant, as adjusted by paragraph (2), by 10.4 percent.

(B) Until paragraph (4) of subdivision (b) of Section 42238.03 is effective, as a condition of the receipt of funds in this paragraph, a school district shall make progress toward maintaining an average class enrollment of not more than 24 pupils for each schoolsite in kindergarten and grades 1 to 3, inclusive, unless a collectively bargained alternative annual average class enrollment for each schoolsite in those grades is agreed to by the school district, pursuant to the following calculation:

(i) Determine a school district's average class enrollment for each schoolsite for kindergarten and grades 1 to 3, inclusive, in the prior year. For the 2013–14 fiscal year, this amount shall be the average class enrollment for each schoolsite for kindergarten and grades 1 to 3, inclusive, in the 2012–13 fiscal year.

(ii) Determine a school district's proportion of total need pursuant to paragraph (2) of subdivision (b) of Section 42238.03.

(iii) Determine the percentage of the need calculated in clause (ii) that is met by funding provided to the school district pursuant to paragraph (3) of subdivision (b) of Section 42238.03.

(iv) Determine the difference between the amount computed pursuant to clause (i) and an average class enrollment of not more than 24 pupils.

(v) Calculate a current year average class enrollment adjustment for each schoolsite for kindergarten and grades 1 to 3, inclusive, equal to the adjustment calculated in clause (iv) multiplied by the percentage determined pursuant to clause (iii).

(C) School districts that have an average class enrollment for each schoolsite for kindergarten and grades 1 to 3, inclusive, of 24 pupils or less for each schoolsite in the 2012–13 fiscal year, shall be exempt from the requirements of subparagraph (B) so long as the school district continues to maintain an average class enrollment for each schoolsite for kindergarten and grades 1 to 3, inclusive, of not more than 24 pupils, unless a collectively bargained alternative ratio is agreed to by the school district.

(D) Upon full implementation of the local control funding formula, as a condition of the receipt of funds in this paragraph, all school districts shall maintain an average class enrollment for each schoolsite for kindergarten and grades 1 to 3, inclusive, of not more than 24 pupils for each schoolsite in kindergarten and grades 1 to 3, inclusive, unless a collectively bargained alternative ratio is agreed to by the school district.

1 (E) The average class enrollment requirement for each schoolsite
2 for kindergarten and grades 1 to 3, inclusive, established pursuant
3 to this paragraph shall not be subject to waiver by the state board
4 pursuant to Section 33050 or by the Superintendent.

5 (F) The Controller shall include the instructions necessary to
6 enforce this paragraph in the audit guide required by Section
7 14502.1. The instructions shall include, but are not necessarily
8 limited to, procedures for determining if the average class
9 enrollment for each schoolsite for kindergarten and grades 1 to 3,
10 inclusive, exceeds 24 pupils, or an alternative average class
11 enrollment for each schoolsite pursuant to a collectively bargained
12 alternative ratio. The procedures for determining average class
13 enrollment for each schoolsite shall include criteria for employing
14 sampling.

15 (4) The Superintendent shall compute an additional adjustment
16 to the base grant for grades 9 to 12, inclusive, as adjusted for
17 inflation pursuant to paragraph (2), equal to 2.6 percent. The
18 additional grant shall be calculated by multiplying the base grant
19 for grades 9 to 12, inclusive, as adjusted by paragraph (2), by 2.6
20 percent.

21 (e) (1) The Superintendent shall compute a supplemental grant
22 add-on equal to 20 percent of the base grants as specified in
23 subparagraphs (A) to (D), inclusive, of paragraph (1) of subdivision
24 (d), as adjusted by paragraphs (2) to (4), inclusive, of subdivision
25 (d), for each school district's or charter school's percentage of
26 unduplicated pupils calculated pursuant to paragraph (5) of
27 subdivision (b). The supplemental grant shall be calculated by
28 multiplying the base grants as specified in subparagraphs (A) to
29 (D), inclusive, of paragraph (1), as adjusted by paragraphs (2) to
30 (4), inclusive, of subdivision (d), by 20 percent and by the
31 percentage of unduplicated pupils calculated pursuant to paragraph
32 (5) of subdivision (b) in that school district or charter school. The
33 supplemental grant shall be expended in accordance with the
34 regulations adopted pursuant to Section 42238.07.

35 (2) (A) *A school district or charter school shall receive 50*
36 *percent of the supplemental grant add-on calculated pursuant to*
37 *paragraph (1) for a pupil redesignated as fluent English proficient*
38 *pursuant to Section 313 for the first fiscal year after the pupil has*
39 *been redesignated as fluent English proficient.*

1 (B) A school district or charter school shall receive 25 percent
2 of the supplemental grant add-on calculated pursuant to paragraph
3 (1) for a pupil redesignated as fluent English proficient pursuant
4 to Section 313 for the second fiscal year after the pupil has been
5 redesignated as fluent English proficient.

6 (f) (1) The Superintendent shall compute a concentration grant
7 add-on equal to 50 percent of the base grants as specified in
8 subparagraphs (A) to (D), inclusive, of paragraph (1) of subdivision
9 (d), as adjusted by paragraphs (2) to (4), inclusive, of subdivision
10 (d), for each school district's or charter school's percentage of
11 unduplicated pupils calculated pursuant to paragraph (5) of
12 subdivision (b) in excess of 55 percent of the school district's or
13 charter school's total enrollment. The concentration grant shall be
14 calculated by multiplying the base grants as specified in
15 subparagraphs (A) to (D), inclusive, of paragraph (1) of subdivision
16 (d), as adjusted by paragraphs (2) to (4), inclusive, of subdivision
17 (d), by 50 percent and by the percentage of unduplicated pupils
18 calculated pursuant to paragraph (5) of subdivision (b) in excess
19 of 55 percent of the total enrollment in that school district or charter
20 school.

21 (2) (A) For a charter school physically located in only one
22 school district, the percentage of unduplicated pupils calculated
23 pursuant to paragraph (5) of subdivision (b) in excess of 55 percent
24 used to calculate concentration grants shall not exceed the
25 percentage of unduplicated pupils calculated pursuant to paragraph
26 (5) of subdivision (b) in excess of 55 percent of the school district
27 in which the charter school is physically located. For a charter
28 school physically located in more than one school district, the
29 charter school's percentage of unduplicated pupils calculated
30 pursuant to paragraph (5) of subdivision (b) in excess of 55 percent
31 used to calculate concentration grants shall not exceed that of the
32 school district with the highest percentage of unduplicated pupils
33 calculated pursuant to paragraph (5) of subdivision (b) in excess
34 of 55 percent of the school districts in which the charter school
35 has a school facility. The concentration grant shall be expended
36 in accordance with the regulations adopted pursuant to Section
37 42238.07.

38 (B) For purposes of this paragraph and subparagraph (A) of
39 paragraph (1) of subdivision (f) of Section 42238.03, a charter
40 school shall report its physical location to the department under

1 timeframes established by the department. For a charter school
2 authorized by a school district, the department shall include the
3 authorizing school district in the department's determination of
4 physical location. For a charter school authorized on appeal
5 pursuant to subdivision (j) of Section 47605, the department shall
6 include the sponsoring school district in the department's
7 determination of physical location. The reported physical location
8 of the charter school shall be considered final as of the second
9 principal apportionment for that fiscal year. For purposes of this
10 paragraph, the percentage of unduplicated pupils of the school
11 district associated with the charter school pursuant to subparagraph
12 (A) shall be considered final as of the second principal
13 apportionment for that fiscal year.

14 (3) (A) *A school district or charter school shall receive 50*
15 *percent of the concentration grant add-on calculated pursuant to*
16 *paragraph (1) for a pupil redesignated as fluent English proficient*
17 *pursuant to Section 313 for the first fiscal year after the pupil has*
18 *been redesignated as fluent English proficient.*

19 (B) *A school district or charter school shall receive 25 percent*
20 *of the concentration grant add-on calculated pursuant to*
21 *paragraph (1) for a pupil redesignated as fluent English proficient*
22 *pursuant to Section 313 for the second fiscal year after the pupil*
23 *has been redesignated as fluent English proficient.*

24 (g) The Superintendent shall compute an add-on to the total
25 sum of a school district's or charter school's base, supplemental,
26 and concentration grants equal to the amount of funding a school
27 district or charter school received from funds allocated pursuant
28 to the Targeted Instructional Improvement Block Grant program,
29 as set forth in Article 6 (commencing with Section 41540) of
30 Chapter 3.2, for the 2012–13 fiscal year, as that article read on
31 January 1, 2013. A school district or charter school shall not receive
32 a total funding amount from this add-on greater than the total
33 amount of funding received by the school district or charter school
34 from that program in the 2012–13 fiscal year. The amount
35 computed pursuant to this subdivision shall reflect the reduction
36 specified in paragraph (2) of subdivision (a) of Section 42238.03.

37 (h) The Superintendent shall compute an add-on to the total
38 sum of a school district's or charter school's base, supplemental,
39 and concentration grants equal to the amount of funding a school
40 district or charter school received from funds allocated pursuant

1 to the Home-to-School Transportation program, as set forth in
2 former Article 2 (commencing with Section 39820) of Chapter 1
3 of Part 23.5, former Article 10 (commencing with Section 41850)
4 of Chapter 5, and the Small School District Transportation
5 program, as set forth in former Article 4.5 (commencing with
6 Section 42290), for the 2012–13 fiscal year. A school district or
7 charter school shall not receive a total funding amount from this
8 add-on greater than the total amount received by the school district
9 or charter school for those programs in the 2012–13 fiscal year.
10 The amount computed pursuant to this subdivision shall reflect
11 the reduction specified in paragraph (2) of subdivision (a) of
12 Section 42238.03.

13 (i) (1) The sum of the local control funding formula rates
14 computed pursuant to subdivisions (c) to (f), inclusive, shall be
15 multiplied by:

16 (A) For school districts, the average daily attendance of the
17 school district in the corresponding grade level ranges computed
18 pursuant to Section 42238.05, excluding the average daily
19 attendance computed pursuant to paragraph (2) of subdivision (a)
20 of Section 42238.05 for purposes of the computation specified in
21 subdivision (d).

22 (B) For charter schools, the total current year average daily
23 attendance in the corresponding grade level ranges.

24 (2) The amount computed pursuant to Article 4 (commencing
25 with Section 42280) shall be added to the amount computed
26 pursuant to paragraphs (1) to (4), inclusive, of subdivision (d), as
27 multiplied by subparagraph (A) or (B) of paragraph (1), as
28 appropriate.

29 (j) The Superintendent shall adjust the sum of each school
30 district's or charter school's amount determined in subdivisions
31 (g) to (i), inclusive, pursuant to the calculation specified in Section
32 42238.03, less the sum of the following:

33 (1) (A) For school districts, the property tax revenue received
34 pursuant to Chapter 3.5 (commencing with Section 75) and Chapter
35 6 (commencing with Section 95) of Part 0.5 of Division 1 of the
36 Revenue and Taxation Code.

37 (B) For charter schools, the in-lieu property tax amount provided
38 to a charter school pursuant to Section 47635.

1 (2) The amount, if any, received pursuant to Part 18.5
2 (commencing with Section 38101) of Division 2 of the Revenue
3 and Taxation Code.

4 (3) The amount, if any, received pursuant to Chapter 3
5 (commencing with Section 16140) of Part 1 of Division 4 of Title
6 2 of the Government Code.

7 (4) Prior years' taxes and taxes on the unsecured roll.

8 (5) Fifty percent of the amount received pursuant to Section
9 41603.

10 (6) The amount, if any, received pursuant to the Community
11 Redevelopment Law (Part 1 (commencing with Section 33000)
12 of Division 24 of the Health and Safety Code), less any amount
13 received pursuant to Section 33401 or 33676 of the Health and
14 Safety Code that is used for land acquisition, facility construction,
15 reconstruction, or remodeling, or deferred maintenance and that
16 is not an amount received pursuant to Section 33492.15, or
17 paragraph (4) of subdivision (a) of Section 33607.5, or Section
18 33607.7 of the Health and Safety Code that is allocated exclusively
19 for educational facilities.

20 (7) The amount, if any, received pursuant to Sections 34177,
21 34179.5, 34179.6, 34183, and 34188 of the Health and Safety
22 Code.

23 (8) Revenue received pursuant to subparagraph (B) of paragraph
24 (3) of subdivision (e) of Section 36 of Article XIII of the California
25 Constitution.

26 (k) A school district shall annually transfer to each of its charter
27 schools funding in lieu of property taxes pursuant to Section 47635.

28 (l) (1) Nothing in this section shall be interpreted to authorize
29 a school district that receives funding on behalf of a charter school
30 pursuant to Section 47651 to redirect this funding for another
31 purpose unless otherwise authorized in law pursuant to paragraph
32 (2) or pursuant to an agreement between the charter school and its
33 chartering authority.

34 (2) A school district that received funding on behalf of a locally
35 funded charter school in the 2012–13 fiscal year pursuant to
36 paragraph (2) of subdivision (b) of Section 42605, Section 42606,
37 and subdivision (b) of Section 47634.1, as those sections read on
38 January 1, 2013, or a school district that was required to pass
39 through funding to a conversion charter school in the 2012–13
40 fiscal year pursuant to paragraph (2) of subdivision (b) of Section

1 42606, as that section read on January 1, 2013, may annually
2 redirect for another purpose a percentage of the amount of the
3 funding received on behalf of that charter school. The percentage
4 of funding that may be redirected shall be determined pursuant to
5 the following computation:

6 (A) (i) Determine the sum of the need fulfilled for that charter
7 school pursuant to paragraph (3) of subdivision (b) of Section
8 42238.03 in the then current fiscal year for the charter school.

9 (ii) Determine the sum of the need fulfilled in every fiscal year
10 before the then current fiscal year pursuant to paragraph (3) of
11 subdivision (b) of Section 42238.03 adjusted for changes in average
12 daily attendance pursuant to paragraph (3) of subdivision (a) of
13 Section 42238.03 for the charter school.

14 (iii) Subtract the amount computed pursuant to paragraphs (1)
15 to (3), inclusive, of subdivision (a) of Section 42238.03 from the
16 amount computed for that charter school under the local control
17 funding formula entitlement computed pursuant to subdivision (i)
18 of Section 42238.02. (i).

19 (iv) Compute a percentage by dividing the sum of the amounts
20 computed pursuant to clauses (i) and (ii) by the amount computed
21 pursuant to clause (iii).

22 (B) Multiply the percentage computed pursuant to subparagraph
23 (A) by the amount of funding the school district received on behalf
24 of the charter school in the 2012–13 fiscal year pursuant to
25 paragraph (2) of subdivision (b) of Section 42605, Section 42606,
26 and subdivision (b) of Section 47634.1, as those sections read on
27 January 1, 2013.

28 (C) The maximum amount that may be redirected shall be the
29 lesser of the amount of funding the school district received on
30 behalf of the charter school in the 2012–13 fiscal year pursuant to
31 paragraph (2) of subdivision (b) of Section 42605, Section 42606,
32 and subdivision (b) of Section 47634.1, as those sections read on
33 January 1, 2013, or the amount computed pursuant to subparagraph
34 (B).

35 (3) Commencing with the 2013–14 fiscal year, a school district
36 operating one or more affiliated charter schools shall provide each
37 affiliated charter school schoolsite with no less than the amount
38 of funding the schoolsite received pursuant to the charter school
39 block grant in the 2012–13 fiscal year.

(m) Any calculations in law that are used for purposes of determining if a local educational agency is an excess tax school entity or basic aid school district, including, but not limited to, this section and Sections 42238.03, 41544, 47632, 47660, 47663, 48310, and 48359.5, and Section 95 of the Revenue and Taxation Code, shall be made exclusive of the revenue received pursuant to subparagraph (B) of paragraph (3) of subdivision (e) of Section 36 of Article XIII of the California Constitution.

(n) The funds apportioned pursuant to this section and Section 42238.03 shall be available to implement the activities required pursuant to Article 4.5 (commencing with Section 52060) of Chapter 6.1 of Part 28 of Division 4 of Title 2.

(o) A school district that does not receive an apportionment of state funds pursuant to this section, as implemented pursuant to Section 42238.03, excluding funds apportioned pursuant to the requirements of subparagraph (A) of paragraph (2) of subdivision (e) of Section 42238.03, shall be considered a “basic aid school district” or an “excess tax entity.”

(p) *This section shall become inoperative upon the adoption of statewide pupil redesignation standards after January 1, 2015, by statute or regulation, or on July 1, 2018, whichever occurs first, and, as of January 1, 2019, is repealed, unless a later enacted statute, that becomes operative on or before January 1, 2019, deletes or extends the conditions on which it becomes inoperative and is repealed.*

SEC. 4. Section 42238.02 is added to the Education Code, to read:

42238.02. (a) *The amount computed pursuant to this section shall be known as the school district and charter school local control funding formula.*

(b) (1) *For purposes of this section “unduplicated pupil” means a pupil enrolled in a school district or a charter school who is classified as an English learner, eligible for a free or reduced-price meal, or is a foster youth. A pupil shall be counted only once for purposes of this section if any of the following apply:*

(A) *The pupil is classified as an English learner and is eligible for a free or reduced-price meal.*

(B) *The pupil is classified as an English learner and is a foster youth.*

1 (C) *The pupil is eligible for a free or reduced-price meal and*
2 *is classified as a foster youth.*

3 (D) *The pupil is classified as an English learner, is eligible for*
4 *a free or reduced-price meal, and is a foster youth.*

5 (2) *Under procedures and timeframes established by the*
6 *Superintendent, commencing with the 2013–14 fiscal year, a school*
7 *district or charter school shall annually submit its enrolled free*
8 *and reduced-price meal eligibility, foster youth, and English*
9 *learner pupil-level records for enrolled pupils to the Superintendent*
10 *using the California Longitudinal Pupil Achievement Data System.*

11 (3) (A) *Commencing with the 2013–14 fiscal year, a county*
12 *office of education shall review and validate certified aggregate*
13 *English learner, foster youth, and free or reduced-price meal*
14 *eligible pupil data for school districts and charter schools under*
15 *its jurisdiction to ensure the data is reported accurately. The*
16 *Superintendent shall provide each county office of education with*
17 *appropriate access to school district and charter school data*
18 *reports in the California Longitudinal Pupil Achievement Data*
19 *System for purposes of ensuring data reporting accuracy.*

20 (B) *The Controller shall include the instructions necessary to*
21 *enforce paragraph (2) in the audit guide required by Section*
22 *14502.1. The instructions shall include, but are not necessarily*
23 *limited to, procedures for determining if the English learner, foster*
24 *youth, and free or reduced-price meal eligible pupil counts are*
25 *consistent with the school district's or charter school's English*
26 *learner, foster youth, and free or reduced-price meal eligible pupil*
27 *records.*

28 (4) *The Superintendent shall make the calculations pursuant to*
29 *this section using the data submitted by local educational agencies,*
30 *including charter schools, through the California Longitudinal*
31 *Pupil Achievement Data System. Under timeframes and procedures*
32 *established by the Superintendent, school districts and charter*
33 *schools may review and revise their submitted data on English*
34 *learner, foster youth, and free or reduced-price meal eligible pupil*
35 *counts to ensure the accuracy of data reflected in the California*
36 *Longitudinal Pupil Achievement Data System.*

37 (5) *The Superintendent shall annually compute the percentage*
38 *of unduplicated pupils for each school district and charter school*
39 *by dividing the enrollment of unduplicated pupils in a school*

1 district or charter school by the total enrollment in that school
2 district or charter school pursuant to all of the following:

3 (A) For the 2013–14 fiscal year, divide the sum of unduplicated
4 pupils for the 2013–14 fiscal year by the sum of the total pupil
5 enrollment for the 2013–14 fiscal year.

6 (B) For the 2014–15 fiscal year, divide the sum of unduplicated
7 pupils for the 2013–14 and 2014–15 fiscal years by the sum of the
8 total pupil enrollment for the 2013–14 and 2014–15 fiscal years.

9 (C) For the 2015–16 fiscal year and each fiscal year thereafter,
10 divide the sum of unduplicated pupils for the current fiscal year
11 and the two prior fiscal years by the sum of the total pupil
12 enrollment for the current fiscal year and the two prior fiscal years.

13 (D) (i) For purposes of the quotients determined pursuant to
14 subparagraphs (B) and (C), the Superintendent shall use a school
15 district's or charter school's enrollment of unduplicated pupils
16 and total pupil enrollment in the 2014–15 fiscal year instead of
17 the enrollment of unduplicated pupils and total pupil enrollment
18 in the 2013–14 fiscal year if doing so would yield an overall
19 greater percentage of unduplicated pupils.

20 (ii) It is the intent of the Legislature to review each school
21 district and charter school's enrollment of unduplicated pupils for
22 the 2013–14 and 2014–15 fiscal years and provide one-time
23 funding, if necessary, for a school district or charter school with
24 higher enrollment of unduplicated pupils in the 2014–15 fiscal
25 year as compared to the 2013–14 fiscal year.

26 (6) The data used to determine the percentage of unduplicated
27 pupils shall be final once that data is no longer used in the current
28 fiscal year calculation of the percentage of unduplicated pupils.
29 This paragraph does not apply to a change that is the result of an
30 audit that has been appealed pursuant to Section 41344.

31 (c) Commencing with the 2013–14 fiscal year and each fiscal
32 year thereafter, the Superintendent shall annually calculate a local
33 control funding formula grant for each school district and charter
34 school in the state pursuant to this section.

35 (d) The Superintendent shall compute a grade span adjusted
36 base grant equal to the total of the following amounts:

37 (1) For the 2013–14 fiscal year, a base grant of:

38 (A) Six thousand eight hundred forty-five dollars (\$6,845) for
39 average daily attendance in kindergarten and grades 1 to 3,
40 inclusive.

1 (B) Six thousand nine hundred forty-seven dollars (\$6,947) for
2 average daily attendance in grades 4 to 6, inclusive.

3 (C) Seven thousand one hundred fifty-four dollars (\$7,154) for
4 average daily attendance in grades 7 and 8.

5 (D) Eight thousand two hundred eighty-nine dollars (\$8,289)
6 for average daily attendance in grades 9 to 12, inclusive.

7 (2) In each year the grade span adjusted base grants in
8 paragraph (1) shall be adjusted by the percentage change in the
9 annual average value of the Implicit Price Deflator for State and
10 Local Government Purchases of Goods and Services for the United
11 States, as published by the United States Department of Commerce
12 for the 12-month period ending in the third quarter of the prior
13 fiscal year. This percentage change shall be determined using the
14 latest data available as of May 10 of the preceding fiscal year
15 compared with the annual average value of the same deflator for
16 the 12-month period ending in the third quarter of the second
17 preceding fiscal year, using the latest data available as of May 10
18 of the preceding fiscal year, as reported by the Department of
19 Finance.

20 (3) (A) The Superintendent shall compute an additional
21 adjustment to the kindergarten and grades 1 to 3, inclusive, base
22 grant as adjusted for inflation pursuant to paragraph (2) equal to
23 10.4 percent. The additional grant shall be calculated by
24 multiplying the kindergarten and grades 1 to 3, inclusive, base
25 grant, as adjusted by paragraph (2), by 10.4 percent.

26 (B) Until paragraph (4) of subdivision (b) of Section 42238.03
27 is effective, as a condition of the receipt of funds in this paragraph,
28 a school district shall make progress toward maintaining an
29 average class enrollment of not more than 24 pupils for each
30 schoolsite in kindergarten and grades 1 to 3, inclusive, unless a
31 collectively bargained alternative annual average class enrollment
32 for each schoolsite in those grades is agreed to by the school
33 district, pursuant to the following calculation:

34 (i) Determine a school district's average class enrollment for
35 each schoolsite for kindergarten and grades 1 to 3, inclusive, in
36 the prior year. For the 2013–14 fiscal year, this amount shall be
37 the average class enrollment for each schoolsite for kindergarten
38 and grades 1 to 3, inclusive, in the 2012–13 fiscal year.

39 (ii) Determine a school district's proportion of total need
40 pursuant to paragraph (2) of subdivision (b) of Section 42238.03.

1 (iii) Determine the percentage of the need calculated in clause
2 (ii) that is met by funding provided to the school district pursuant
3 to paragraph (3) of subdivision (b) of Section 42238.03.

4 (iv) Determine the difference between the amount computed
5 pursuant to clause (i) and an average class enrollment of not more
6 than 24 pupils.

7 (v) Calculate a current year average class enrollment adjustment
8 for each schoolsite for kindergarten and grades 1 to 3, inclusive,
9 equal to the adjustment calculated in clause (iv) multiplied by the
10 percentage determined pursuant to clause (iii).

11 (C) School districts that have an average class enrollment for
12 each schoolsite for kindergarten and grades 1 to 3, inclusive, of
13 24 pupils or less for each schoolsite in the 2012–13 fiscal year,
14 shall be exempt from the requirements of subparagraph (B) so
15 long as the school district continues to maintain an average class
16 enrollment for each schoolsite for kindergarten and grades 1 to
17 3, inclusive, of not more than 24 pupils, unless a collectively
18 bargained alternative ratio is agreed to by the school district.

19 (D) Upon full implementation of the local control funding
20 formula, as a condition of the receipt of funds in this paragraph,
21 all school districts shall maintain an average class enrollment for
22 each schoolsite for kindergarten and grades 1 to 3, inclusive, of
23 not more than 24 pupils for each schoolsite in kindergarten and
24 grades 1 to 3, inclusive, unless a collectively bargained alternative
25 ratio is agreed to by the school district.

26 (E) The average class enrollment requirement for each
27 schoolsite for kindergarten and grades 1 to 3, inclusive, established
28 pursuant to this paragraph shall not be subject to waiver by the
29 state board pursuant to Section 33050 or by the Superintendent.

30 (F) The Controller shall include the instructions necessary to
31 enforce this paragraph in the audit guide required by Section
32 14502.1. The instructions shall include, but are not necessarily
33 limited to, procedures for determining if the average class
34 enrollment for each schoolsite for kindergarten and grades 1 to
35 3, inclusive, exceeds 24 pupils, or an alternative average class
36 enrollment for each schoolsite pursuant to a collectively bargained
37 alternative ratio. The procedures for determining average class
38 enrollment for each schoolsite shall include criteria for employing
39 sampling.

1 (4) *The Superintendent shall compute an additional adjustment*
2 *to the base grant for grades 9 to 12, inclusive, as adjusted for*
3 *inflation pursuant to paragraph (2), equal to 2.6 percent. The*
4 *additional grant shall be calculated by multiplying the base grant*
5 *for grades 9 to 12, inclusive, as adjusted by paragraph (2), by 2.6*
6 *percent.*

7 (e) (1) *The Superintendent shall compute a supplemental grant*
8 *add-on equal to 20 percent of the base grants as specified in*
9 *subparagraphs (A) to (D), inclusive, of paragraph (1) of*
10 *subdivision (d), as adjusted by paragraphs (2) to (4), inclusive, of*
11 *subdivision (d), for each school district's or charter school's*
12 *percentage of unduplicated pupils calculated pursuant to*
13 *paragraph (5) of subdivision (b). The supplemental grant shall be*
14 *calculated by multiplying the base grants as specified in*
15 *subparagraphs (A) to (D), inclusive, of paragraph (1), as adjusted*
16 *by paragraphs (2) to (4), inclusive, of subdivision (d), by 20 percent*
17 *and by the percentage of unduplicated pupils calculated pursuant*
18 *to paragraph (5) of subdivision (b) in that school district or charter*
19 *school. The supplemental grant shall be expended in accordance*
20 *with the regulations adopted pursuant to Section 42238.07.*

21 (2) *If a pupil has been redesignated as fluent English proficient*
22 *pursuant to Section 313 before this section is operative and a*
23 *school district or charter school has not already received, for the*
24 *first fiscal year after the pupil has been redesignated as fluent*
25 *English proficient, 50 percent of, and for the second fiscal year*
26 *after the pupil has been redesignated as fluent English proficient,*
27 *25 percent of, the supplemental grant calculated pursuant to*
28 *paragraph (1), the school district or charter school shall receive*
29 *the applicable percentage of the supplemental grant calculated*
30 *pursuant to paragraph (1) for the pupil redesignated as fluent*
31 *English proficient until it has received the applicable percentage*
32 *of the supplemental grant for the applicable fiscal year.*

33 (f) (1) *The Superintendent shall compute a concentration grant*
34 *add-on equal to 50 percent of the base grants as specified in*
35 *subparagraphs (A) to (D), inclusive, of paragraph (1) of*
36 *subdivision (d), as adjusted by paragraphs (2) to (4), inclusive, of*
37 *subdivision (d), for each school district's or charter school's*
38 *percentage of unduplicated pupils calculated pursuant to*
39 *paragraph (5) of subdivision (b) in excess of 55 percent of the*
40 *school district's or charter school's total enrollment. The*

1 concentration grant shall be calculated by multiplying the base
2 grants as specified in subparagraphs (A) to (D), inclusive, of
3 paragraph (1) of subdivision (d), as adjusted by paragraphs (2)
4 to (4), inclusive, of subdivision (d), by 50 percent and by the
5 percentage of unduplicated pupils calculated pursuant to
6 paragraph (5) of subdivision (b) in excess of 55 percent of the total
7 enrollment in that school district or charter school.

8 (2) (A) For a charter school physically located in only one
9 school district, the percentage of unduplicated pupils calculated
10 pursuant to paragraph (5) of subdivision (b) in excess of 55 percent
11 used to calculate concentration grants shall not exceed the
12 percentage of unduplicated pupils calculated pursuant to
13 paragraph (5) of subdivision (b) in excess of 55 percent of the
14 school district in which the charter school is physically located.
15 For a charter school physically located in more than one school
16 district, the charter school's percentage of unduplicated pupils
17 calculated pursuant to paragraph (5) of subdivision (b) in excess
18 of 55 percent used to calculate concentration grants shall not
19 exceed that of the school district with the highest percentage of
20 unduplicated pupils calculated pursuant to paragraph (5) of
21 subdivision (b) in excess of 55 percent of the school districts in
22 which the charter school has a school facility. The concentration
23 grant shall be expended in accordance with the regulations adopted
24 pursuant to Section 42238.07.

25 (B) For purposes of this paragraph and subparagraph (A) of
26 paragraph (1) of subdivision (f) of Section 42238.03, a charter
27 school shall report its physical location to the department under
28 timeframes established by the department. For a charter school
29 authorized by a school district, the department shall include the
30 authorizing school district in the department's determination of
31 physical location. For a charter school authorized on appeal
32 pursuant to subdivision (j) of Section 47605, the department shall
33 include the sponsoring school district in the department's
34 determination of physical location. The reported physical location
35 of the charter school shall be considered final as of the second
36 principal apportionment for that fiscal year. For purposes of this
37 paragraph, the percentage of unduplicated pupils of the school
38 district associated with the charter school pursuant to
39 subparagraph (A) shall be considered final as of the second
40 principal apportionment for that fiscal year.

1 (3) *If a pupil has been redesignated as fluent English proficient*
2 *pursuant to Section 313 before this section is operative and a*
3 *school district or charter school has not already received, for the*
4 *first fiscal year after the pupil has been redesignated as fluent*
5 *English proficient, 50 percent of, and for the second fiscal year*
6 *after the pupil has been redesignated as fluent English proficient,*
7 *25 percent of, the concentration grant calculated pursuant to*
8 *paragraph (1), the school district or charter school shall receive*
9 *the applicable percentage of the concentration grant calculated*
10 *pursuant to paragraph (1) for the pupil redesignated as fluent*
11 *English proficient until it has received the applicable percentage*
12 *of the concentration grant for the applicable fiscal year.*

13 (g) *The Superintendent shall compute an add-on to the total*
14 *sum of a school district's or charter school's base, supplemental,*
15 *and concentration grants equal to the amount of funding a school*
16 *district or charter school received from funds allocated pursuant*
17 *to the Targeted Instructional Improvement Block Grant program,*
18 *as set forth in Article 6 (commencing with Section 41540) of*
19 *Chapter 3.2, for the 2012–13 fiscal year, as that article read on*
20 *January 1, 2013. A school district or charter school shall not*
21 *receive a total funding amount from this add-on greater than the*
22 *total amount of funding received by the school district or charter*
23 *school from that program in the 2012–13 fiscal year. The amount*
24 *computed pursuant to this subdivision shall reflect the reduction*
25 *specified in paragraph (2) of subdivision (a) of Section 42238.03.*

26 (h) *The Superintendent shall compute an add-on to the total*
27 *sum of a school district's or charter school's base, supplemental,*
28 *and concentration grants equal to the amount of funding a school*
29 *district or charter school received from funds allocated pursuant*
30 *to the Home-to-School Transportation program, as set forth in*
31 *former Article 2 (commencing with Section 39820) of Chapter 1*
32 *of Part 23.5, former Article 10 (commencing with Section 41850)*
33 *of Chapter 5, and the Small School District Transportation*
34 *program, as set forth in former Article 4.5 (commencing with*
35 *Section 42290), for the 2012–13 fiscal year. A school district or*
36 *charter school shall not receive a total funding amount from this*
37 *add-on greater than the total amount received by the school district*
38 *or charter school for those programs in the 2012–13 fiscal year.*
39 *The amount computed pursuant to this subdivision shall reflect*

1 *the reduction specified in paragraph (2) of subdivision (a) of*
2 *Section 42238.03.*

3 *(i) (1) The sum of the local control funding formula rates*
4 *computed pursuant to subdivisions (c) to (f), inclusive, shall be*
5 *multiplied by:*

6 *(A) For school districts, the average daily attendance of the*
7 *school district in the corresponding grade level ranges computed*
8 *pursuant to Section 42238.05, excluding the average daily*
9 *attendance computed pursuant to paragraph (2) of subdivision (a)*
10 *of Section 42238.05 for purposes of the computation specified in*
11 *subdivision (d).*

12 *(B) For charter schools, the total current year average daily*
13 *attendance in the corresponding grade level ranges.*

14 *(2) The amount computed pursuant to Article 4 (commencing*
15 *with Section 42280) shall be added to the amount computed*
16 *pursuant to paragraphs (1) to (4), inclusive, of subdivision (d), as*
17 *multiplied by subparagraph (A) or (B) of paragraph (1), as*
18 *appropriate.*

19 *(j) The Superintendent shall adjust the sum of each school*
20 *district's or charter school's amount determined in subdivisions*
21 *(g) to (i), inclusive, pursuant to the calculation specified in Section*
22 *42238.03, less the sum of the following:*

23 *(1) (A) For school districts, the property tax revenue received*
24 *pursuant to Chapter 3.5 (commencing with Section 75) and Chapter*
25 *6 (commencing with Section 95) of Part 0.5 of Division 1 of the*
26 *Revenue and Taxation Code.*

27 *(B) For charter schools, the in-lieu property tax amount*
28 *provided to a charter school pursuant to Section 47635.*

29 *(2) The amount, if any, received pursuant to Part 18.5*
30 *(commencing with Section 38101) of Division 2 of the Revenue*
31 *and Taxation Code.*

32 *(3) The amount, if any, received pursuant to Chapter 3*
33 *(commencing with Section 16140) of Part 1 of Division 4 of Title*
34 *2 of the Government Code.*

35 *(4) Prior years' taxes and taxes on the unsecured roll.*

36 *(5) Fifty percent of the amount received pursuant to Section*
37 *41603.*

38 *(6) The amount, if any, received pursuant to the Community*
39 *Redevelopment Law (Part 1 (commencing with Section 33000) of*
40 *Division 24 of the Health and Safety Code), less any amount*

1 received pursuant to Section 33401 or 33676 of the Health and
2 Safety Code that is used for land acquisition, facility construction,
3 reconstruction, or remodeling, or deferred maintenance and that
4 is not an amount received pursuant to Section 33492.15, or
5 paragraph (4) of subdivision (a) of Section 33607.5, or Section
6 33607.7 of the Health and Safety Code that is allocated exclusively
7 for educational facilities.

8 (7) The amount, if any, received pursuant to Sections 34177,
9 34179.5, 34179.6, 34183, and 34188 of the Health and Safety
10 Code.

11 (8) Revenue received pursuant to subparagraph (B) of
12 paragraph (3) of subdivision (e) of Section 36 of Article XIII of
13 the California Constitution.

14 (k) A school district shall annually transfer to each of its charter
15 schools funding in lieu of property taxes pursuant to Section 47635.

16 (l) (1) Nothing in this section shall be interpreted to authorize
17 a school district that receives funding on behalf of a charter school
18 pursuant to Section 47651 to redirect this funding for another
19 purpose unless otherwise authorized in law pursuant to paragraph
20 (2) or pursuant to an agreement between the charter school and
21 its chartering authority.

22 (2) A school district that received funding on behalf of a locally
23 funded charter school in the 2012–13 fiscal year pursuant to
24 paragraph (2) of subdivision (b) of Section 42605, Section 42606,
25 and subdivision (b) of Section 47634.1, as those sections read on
26 January 1, 2013, or a school district that was required to pass
27 through funding to a conversion charter school in the 2012–13
28 fiscal year pursuant to paragraph (2) of subdivision (b) of Section
29 42606, as that section read on January 1, 2013, may annually
30 redirect for another purpose a percentage of the amount of the
31 funding received on behalf of that charter school. The percentage
32 of funding that may be redirected shall be determined pursuant to
33 the following computation:

34 (A) (i) Determine the sum of the need fulfilled for that charter
35 school pursuant to paragraph (3) of subdivision (b) of Section
36 42238.03 in the then current fiscal year for the charter school.

37 (ii) Determine the sum of the need fulfilled in every fiscal year
38 before the then current fiscal year pursuant to paragraph (3) of
39 subdivision (b) of Section 42238.03 adjusted for changes in average

1 *daily attendance pursuant to paragraph (3) of subdivision (a) of*
2 *Section 42238.03 for the charter school.*

3 *(iii) Subtract the amount computed pursuant to paragraphs (1)*
4 *to (3), inclusive, of subdivision (a) of Section 42238.03 from the*
5 *amount computed for that charter school under the local control*
6 *funding formula entitlement computed pursuant to subdivision (i).*

7 *(iv) Compute a percentage by dividing the sum of the amounts*
8 *computed pursuant to clauses (i) and (ii) by the amount computed*
9 *pursuant to clause (iii).*

10 *(B) Multiply the percentage computed pursuant to subparagraph*
11 *(A) by the amount of funding the school district received on behalf*
12 *of the charter school in the 2012–13 fiscal year pursuant to*
13 *paragraph (2) of subdivision (b) of Section 42605, Section 42606,*
14 *and subdivision (b) of Section 47634.1, as those sections read on*
15 *January 1, 2013.*

16 *(C) The maximum amount that may be redirected shall be the*
17 *lesser of the amount of funding the school district received on*
18 *behalf of the charter school in the 2012–13 fiscal year pursuant*
19 *to paragraph (2) of subdivision (b) of Section 42605, Section*
20 *42606, and subdivision (b) of Section 47634.1, as those sections*
21 *read on January 1, 2013, or the amount computed pursuant to*
22 *subparagraph (B).*

23 *(3) Commencing with the 2013–14 fiscal year, a school district*
24 *operating one or more affiliated charter schools shall provide*
25 *each affiliated charter school schoolsite with no less than the*
26 *amount of funding the schoolsite received pursuant to the charter*
27 *school block grant in the 2012–13 fiscal year.*

28 *(m) Any calculations in law that are used for purposes of*
29 *determining if a local educational agency is an excess tax school*
30 *entity or basic aid school district, including, but not limited to,*
31 *this section and Sections 42238.03, 41544, 47632, 47660, 47663,*
32 *48310, and 48359.5, and Section 95 of the Revenue and Taxation*
33 *Code, shall be made exclusive of the revenue received pursuant*
34 *to subparagraph (B) of paragraph (3) of subdivision (e) of Section*
35 *36 of Article XIII of the California Constitution.*

36 *(n) The funds apportioned pursuant to this section and Section*
37 *42238.03 shall be available to implement the activities required*
38 *pursuant to Article 4.5 (commencing with Section 52060) of*
39 *Chapter 6.1 of Part 28 of Division 4.*

(o) A school district that does not receive an apportionment of state funds pursuant to this section, as implemented pursuant to Section 42238.03, excluding funds apportioned pursuant to the requirements of subparagraph (A) of paragraph (2) of subdivision (e) of Section 42238.03, shall be considered a “basic aid school district” or an “excess tax entity.”

(p) This section shall become operative upon the adoption of statewide pupil redesignation standards after January 1, 2015, by statute or regulation, or on July 1, 2018, whichever occurs first.

SEC. 5. Section 52060 of the Education Code is amended to read:

52060. (a) On or before July 1, 2014, the governing board of each school district shall adopt a local control and accountability plan using a template adopted by the state board.

(b) A local control and accountability plan adopted by the governing board of a school district shall be effective for a period of three years, and shall be updated on or before July 1 of each year.

(c) A local control and accountability plan adopted by the governing board of a school district shall include, for the school district and each school within the school district, both of the following:

(1) A description of the annual goals, for all ~~pupils~~ *pupils, pupils redesignated as fluent English proficient*, and each subgroup of pupils identified pursuant to Section 52052, to be achieved for each of the state priorities identified in subdivision (d) and for any additional local priorities identified by the governing board of the school district. For purposes of this article, a subgroup of pupils identified pursuant to Section 52052 shall be a numerically significant pupil subgroup as specified in paragraphs (2) and (3) of subdivision (a) of Section 52052.

(2) A description of the specific actions the school district will take during each year of the local control and accountability plan to achieve the goals identified in paragraph (1), including the enumeration of any specific actions necessary for that year to correct any deficiencies in regard to the state priorities listed in paragraph (1) of subdivision (d). The specific actions shall not supersede the provisions of existing local collective bargaining agreements within the jurisdiction of the school district.

(d) All of the following are state priorities:

1 (1) The degree to which the teachers of the school district are
2 appropriately assigned in accordance with Section 44258.9, and
3 fully credentialed in the subject areas, and, for the pupils they are
4 teaching, every pupil in the school district has sufficient access to
5 the standards-aligned instructional materials as determined pursuant
6 to Section 60119, and school facilities are maintained in good
7 repair as specified in subdivision (d) of Section 17002.

8 (2) (A) Implementation of the academic content and
9 performance standards adopted by the state board, including how
10 the programs and services will enable English learners to access
11 the common core academic content standards adopted pursuant to
12 Section 60605.8 and the English language development standards
13 adopted pursuant to Section 60811.3, as that section read on June
14 30, 2013, for purposes of gaining academic content knowledge
15 and English language proficiency.

16 (B) The school district shall identify in the local control and
17 accountability plan required by this section any specialized
18 programs or services provided to pupils redesignated as fluent
19 English proficient in order for them to maintain proficiency in
20 English and access the common core academic content standards
21 adopted pursuant to Section 60605.8 and a broad course of study
22 that includes all of the subject areas described in Section 51210
23 and subdivisions (a) to (i), inclusive, of Section 51220, as
24 applicable.

25 (3) Parental involvement, including efforts the school district
26 makes to seek parent input in making decisions for the school
27 district and each individual schoolsite, and including how the
28 school district will promote parental participation in programs for
29 unduplicated pupils and individuals with exceptional needs.

30 (4) Pupil achievement, as measured by all of the following, as
31 applicable:

32 (A) Statewide assessments administered pursuant to Article 4
33 (commencing with Section 60640) of Chapter 5 of Part 33 or any
34 subsequent assessment, as certified by the state board.

35 (B) The Academic Performance Index, as described in Section
36 52052.

37 (C) The percentage of pupils who have successfully completed
38 courses that satisfy the requirements for entrance to the University
39 of California and the California State University, or career technical
40 education sequences or programs of study that align with state

1 board-approved career technical educational standards and
2 frameworks, including, but not limited to, those described in
3 subdivision (a) of Section 52302, subdivision (a) of Section
4 52372.5, or paragraph (2) of subdivision (e) of Section 54692.

5 (D) The percentage of English learner pupils who make progress
6 toward English proficiency as measured by the California English
7 Language Development Test or any subsequent assessment of
8 English proficiency, as certified by the state board.

9 (E) The English learner reclassification rate.

10 (F) The percentage of pupils who have passed an advanced
11 placement examination with a score of three or higher.

12 (G) The percentage of pupils who participate in, and demonstrate
13 college preparedness pursuant to, the Early Assessment Program,
14 as described in Chapter 6 (commencing with Section 99300) of
15 Part 65 of Division 14 of Title 3, or any subsequent assessment of
16 college preparedness.

17 (5) Pupil engagement, as measured by all of the following, as
18 applicable:

19 (A) School attendance rates.

20 (B) Chronic absenteeism rates.

21 (C) Middle school dropout rates, as described in paragraph (3)
22 of subdivision (a) of Section 52052.1.

23 (D) High school dropout rates.

24 (E) High school graduation rates.

25 (6) School climate, as measured by all of the following, as
26 applicable:

27 (A) Pupil suspension rates.

28 (B) Pupil expulsion rates.

29 (C) Other local measures, including surveys of pupils, parents,
30 and teachers on the sense of safety and school connectedness.

31 (7) The extent to which pupils have access to, and are enrolled
32 in, a broad course of study that includes all of the subject areas
33 described in Section 51210 and subdivisions (a) to (i), inclusive,
34 of Section 51220, as applicable, including the programs and
35 services developed and provided to unduplicated pupils and
36 individuals with exceptional needs, and the program and services
37 that are provided to benefit these pupils as a result of the funding
38 received pursuant to Section 42238.02, as implemented by Section
39 42238.03.

1 (8) Pupil outcomes, if available, in the subject areas described
2 in Section 51210 and subdivisions (a) to (i), inclusive, of Section
3 51220, as applicable.

4 (e) For purposes of the descriptions required by subdivision (c),
5 the governing board of a school district may consider qualitative
6 information, including, but not limited to, findings that result from
7 school quality reviews conducted pursuant to subparagraph (J) of
8 paragraph (4) of subdivision (a) of Section 52052 or any other
9 reviews.

10 (f) To the extent practicable, data reported in a local control and
11 accountability plan shall be reported in a manner consistent with
12 how information is reported on a school accountability report card.

13 (g) The governing board of a school district shall consult with
14 teachers, principals, administrators, other school personnel, local
15 bargaining units of the school district, parents, and pupils in
16 developing a local control and accountability plan.

17 (h) A school district may identify local priorities, goals in regard
18 to the local priorities, and the method for measuring the school
19 district's progress toward achieving those goals.

20 SEC. 6. Section 52066 of the Education Code is amended to
21 read:

22 52066. (a) On or before July 1, 2014, each county
23 superintendent of schools shall develop, and present to the county
24 board of education for adoption, a local control and accountability
25 plan using a template adopted by the state board.

26 (b) A local control and accountability plan adopted by the county
27 board of education shall be effective for a period of three years,
28 and shall be updated on or before July 1 of each year.

29 (c) A local control and accountability plan adopted by the county
30 board of education shall include, for each school or program
31 operated by the county superintendent of schools, both of the
32 following:

33 (1) A description of the annual goals, for all ~~pupils~~ *pupils, pupils*
34 *redesignated as fluent English proficient*, and each subgroup of
35 pupils identified pursuant to Section 52052, to be achieved for
36 each of the state priorities identified in subdivision (d), as
37 applicable to the pupils served, and for any additional local
38 priorities identified by the county board of education.

39 (2) A description of the specific actions the county
40 superintendent of schools will take during each year of the local

1 control and accountability plan to achieve the goals identified in
2 paragraph (1), including the enumeration of any specific actions
3 necessary for that year to correct any deficiencies in regard to the
4 state priorities listed in paragraph (1) of subdivision (d). The
5 specific actions shall not supersede the provisions of existing local
6 collective bargaining agreements within the jurisdiction of the
7 county superintendent of schools.

8 (d) All of the following are state priorities:

9 (1) The degree to which the teachers in the schools or programs
10 operated by the county superintendent of schools are appropriately
11 assigned in accordance with Section 44258.9 and fully credentialed
12 in the subject areas, and, for the pupils they are teaching, every
13 pupil in the schools or programs operated by the county
14 superintendent of schools has sufficient access to the
15 standards-aligned instructional materials as determined pursuant
16 to Section 60119, and school facilities are maintained in good
17 repair as specified in subdivision (d) of Section 17002.

18 (2) (A) Implementation of the academic content and
19 performance standards adopted by the state board, including how
20 the programs and services will enable English learners to access
21 the common core academic content standards adopted pursuant to
22 Section 60605.8 and the English language development standards
23 adopted pursuant to Section 60811.3, as that section read on June
24 30, 2013, for purposes of gaining academic content knowledge
25 and English language proficiency.

26 (B) The county superintendent of schools shall identify in the
27 local control and accountability plan required by this section any
28 specialized programs or services provided to pupils redesignated
29 as fluent English proficient in order for them to maintain
30 proficiency in English and access the common core academic
31 content standards adopted pursuant to Section 60605.8 and a broad
32 course of study that includes all of the subject areas described in
33 Section 51210 and subdivisions (a) to (i), inclusive, of Section
34 51220, as applicable.

35 (3) Parental involvement, including efforts the county
36 superintendent of schools makes to seek parent input in making
37 decisions for each individual schoolsite and program operated by
38 a county superintendent of schools, and including how the county
39 superintendent of schools will promote parental participation in

1 programs for unduplicated pupils and individuals with exceptional
2 needs.

3 (4) Pupil achievement, as measured by all of the following, as
4 applicable:

5 (A) Statewide assessments administered pursuant to Article 4
6 (commencing with Section 60640) of Chapter 5 of Part 33 or any
7 subsequent assessment, as certified by the state board.

8 (B) The Academic Performance Index, as described in Section
9 52052.

10 (C) The percentage of pupils who have successfully completed
11 courses that satisfy the requirements for entrance to the University
12 of California and the California State University, or career technical
13 education sequences or programs of study that align with state
14 board-approved career technical education standards and
15 frameworks, including, but not limited to, those described in
16 subdivision (a) of Section 52302, subdivision (a) of Section
17 52372.5, or paragraph (2) of subdivision (e) of Section 54692.

18 (D) The percentage of English learner pupils who make progress
19 toward English proficiency as measured by the California English
20 Language Development Test or any subsequent assessment of
21 English proficiency, as certified by the state board.

22 (E) The English learner reclassification rate.

23 (F) The percentage of pupils who have passed an advanced
24 placement examination with a score of three or higher.

25 (G) The percentage of pupils who participate in, and demonstrate
26 college preparedness pursuant to, the Early Assessment Program,
27 as described in Chapter 6 (commencing with Section 99300) of
28 Part 65 of Division 14 of Title 3, or any subsequent assessment of
29 college preparedness.

30 (5) Pupil engagement, as measured by all of the following, as
31 applicable:

32 (A) School attendance rates.

33 (B) Chronic absenteeism rates.

34 (C) Middle school dropout rates, as described in paragraph (3)
35 of subdivision (a) of Section 52052.1.

36 (D) High school dropout rates.

37 (E) High school graduation rates.

38 (6) School climate, as measured by all of the following, as
39 applicable:

40 (A) Pupil suspension rates.

1 (B) Pupil expulsion rates.

2 (C) Other local measures, including surveys of pupils, parents,
3 and teachers on the sense of safety and school connectedness.

4 (7) The extent to which pupils have access to, and are enrolled
5 in, a broad course of study that includes all of the subject areas
6 described in Section 51210 and subdivisions (a) to (i), inclusive,
7 of Section 51220, as applicable, including the programs and
8 services developed and provided to unduplicated pupils and
9 individuals with exceptional needs, and the program and services
10 that are provided to benefit these pupils as a result of the funding
11 received pursuant to Section 42238.02, as implemented by Section
12 42238.03.

13 (8) Pupil outcomes, if available, in the subject areas described
14 in Section 51210 and subdivisions (a) to (i), inclusive, of Section
15 51220, as applicable.

16 (9) How the county superintendent of schools will coordinate
17 instruction of expelled pupils pursuant to Section 48926.

18 (10) How the county superintendent of schools will coordinate
19 services for foster children, including, but not limited to, all of the
20 following:

21 (A) Working with the county child welfare agency to minimize
22 changes in school placement.

23 (B) Providing education-related information to the county child
24 welfare agency to assist the county child welfare agency in the
25 delivery of services to foster children, including, but not limited
26 to, educational status and progress information that is required to
27 be included in court reports.

28 (C) Responding to requests from the juvenile court for
29 information and working with the juvenile court to ensure the
30 delivery and coordination of necessary educational services.

31 (D) Establishing a mechanism for the efficient expeditious
32 transfer of health and education records and the health and
33 education passport.

34 (e) For purposes of the descriptions required by subdivision (c),
35 the county board of education may consider qualitative information,
36 including, but not limited to, findings that result from school quality
37 reviews conducted pursuant to subparagraph (J) of paragraph (4)
38 of subdivision (a) of Section 52052 or any other reviews.

1 (f) To the extent practicable, data reported in a local control and
2 accountability plan shall be reported in a manner consistent with
3 how information is reported on a school accountability report card.

4 (g) The county superintendent of schools shall consult with
5 teachers, principals, administrators, other school personnel, local
6 bargaining units of the county office of education, parents, and
7 pupils in developing a local control and accountability plan.

8 (h) A county board of education may identify local priorities,
9 goals in regard to the local priorities, and the method for measuring
10 the county superintendent of schools' progress toward achieving
11 those goals.

12 SEC. 7. If the Commission on State Mandates determines that
13 this act contains costs mandated by the state, reimbursement to
14 local agencies and school districts for those costs shall be made
15 pursuant to Part 7 (commencing with Section 17500) of Division
16 4 of Title 2 of the Government Code.